

Document Control Page

Document Status: Final
Document Date: 10/01/09

Document Purpose				
Version	Date	Section	Description/Changes	Effective Date
I	10/01/09	ALL	Policy and Procedures Approved	6/30/10
I		6330 page 21	Verifying Legal Status Within 7 days of assignment of the adoption social worker or within 7 days of a request from permanency worker in the concurrent planning stage.	8/15/10
I		61110 Page 77	Preparing Relinquishment Forms for witnessing relinquishment Within 48 hours of request from permanency	8/15/10
I		6620 Page 44	Adoption Resource CFT When requested by permanency staff based on concurrent planning guide indicating a poor prognosis for reunification	9/15/10
I		6510 Page 29	Assess Child Readiness for Adoption Assessment Tool Within 7 days of Adoption Resource CFT	9/15/10
I		6520 Page 30	Develop Child Preparation Plan Within 7 days of completing the Child Readiness for Adoption Assessment Tool	9/15/10
I		6320 Page 18	Social Summary Updates Will review current social summary within 5 days of the assignment to the adoption worker	9/15/10
I		6900 Page 55	Adoptive Family Preparation For families that are assigned to the adoption worker where a MAPP study has been completed on the family	10/15/10
I		6910 Page 56	Transition Planning CFT* For families who have SAFE home	10/15/10

			studies and the child is not already placed in the home.	
I		6930 Page 58	Adoption Home Visit Protocol* Within 7 days of placement into an adoptive home. Once a week for the first 4 weeks. Once a month until the adoption finalizes	9/15/10
*The Transition Planning CFT and the Adoption Home Visit Protocol is not required if the child is already placed in the home of the selected adoptive care provider at the time the adoption worker is assigned.				

Table of Contents

	<u>Page</u>
6000. ADOPTION POLICIES AND PROCEDURES	1
6100. Introduction to Adoption Services	1
6200. Types of Adoptions	7
6210. Current Caregiver Adoption	8
6220. Child-Specific Adoption Recruitment	8
6230. Interstate Compact on the Placement of Children (ICPC) Adoption	9
6240. Nevada Intrastate Adoption	10
6250. Employee Adoption	12
6300. Concurrent Planning for Adoption	12
6310. Review and Evaluate the Permanency Goal	13

6320.	Preparing the Adoptive Case.....	17
6330.	Verify the Legal Status of Child.....	21
6340.	Licensing Requirements for Adoption	22
6400.	Preparation of the Birth/Legal Parent(s) for Adoption	23
6410.	Birth/Legal Parent Notice During Concurrent Planning.....	24
6420.	Birth/Legal Parent Participation in Adoption	26
6430.	Voluntary Relinquishment or Termination of Parental Rights	27
6440.	Nevada Adoption Reunion Registry	28
6500.	Preparation of the Child for Adoption.....	28
6510.	Assess Child's Readiness for Adoption.....	29
6520.	Completing Stages of Child Preparation for Adoption	30
6530.	Special Approaches for Preparing Older Youths for Adoption.....	37
6540.	Informing the Child About the Selected Adoptive Family	42
6600.	Selection and Preparation of Adoptive Family.....	42
6610.	Reasonable Search for Adoptive Resources	43
6620.	Adoptive Resource Child and Family Team Meeting	44
6630.	Selection of Current Caregiver	45
6700.	HART: Confirming or Selecting an Adoptive Resource	48
6710.	Purpose	48
6720.	HART Membership.....	49
6730.	HART Meeting Process	50
6800.	Obtaining Family Agreement to Adopt	51
6810.	Presentation Meeting	52
6820.	Potential Adoptive Family Makes Decision.....	54

Table of Contents

(continued)

		<u>Page</u>
6900.	Preparation of the Selected Adoptive Resource.....	55
6910.	Transition Planning CFT	56
6920.	Family Training	56
6930.	Placement Transition and Movement	58
61000.	Adoption Subsidy	62
61010.	Criteria for Identifying the Special Needs of the Child.....	63
61020.	Teaming for Adoption Subsidy	64
61030.	Reimbursement of Nonrecurring Adoption Expenses.....	65
61040.	<i>Adoption Subsidy Application</i>	66
61050.	Approval or Denial of Adoption Subsidy.....	69

61060.	Annual Subsidy Review Requirements	70
61070.	Termination of Adoption Subsidy	71
61080.	Interstate Compact on Adoption and Medical Assistance (ICAMA).....	71
61090.	Interstate Compact on the Placement of Children Subsidy Only...	72
610100.	Subsidy Fair Hearing.....	72
610110.	<i>Post-Legal Adoption Subsidy Application</i>	75
61100.	Legal Process	77
61110.	Voluntary Relinquishment	78
61120.	Termination of Parental Rights (TPR).....	83
61130.	Adoption Finalization for Families Residing in Clark County	88
61200.	Adoption Disruption	90
61210.	Disruption of a Pre-Adoptive Placement	90
61220.	Post-Adoption Services to Prevent Disruption.....	91
61300.	Miscellaneous	92
61310.	DFS Employee Eligibility for Foster Family Licensing.....	92

6000. ADOPTION POLICIES AND PROCEDURES

6100. Introduction to Adoption Services

Policy Statement

Adoption is the preferred permanency goal when it is determined that a child cannot be returned to his/her birth parent(s). Adoption is the best permanency alternative to reunification because it provides the highest level of physical, legal, and emotional safety and security for a child within a family. The goal for adoption services is to secure, through consistent practice, permanent adoptive families for children who cannot live with their birth families. Adoption services are provided by licensed social workers.

For Families

- The Department works with families to improve the conditions that brought their children into care and, if the children cannot be returned to parents or legal caregivers, develops a permanent plan for the children with input from the parents. One permanency option is adoption.
- The Department prepares both birth and legal parents for the adoption process.
- The Department works with the prospective adoptive home and the child's relatives in order to maintain child and family relationships, including the development of visitation plans during concurrent planning and for post-adoption visitation of siblings.
- The Department seeks relatives as the first option as potential adoptive caregivers if the current caregiver is unable to provide a permanent home for the child.
- The Department will use available resources to secure an adoptive family for the child if a permanent plan cannot be developed with the current caregiver or relative.

For Children

- The Department works toward the safe reunification of children with their families.
- The Department concurrently develops a specific alternative permanency plan for children who may become legally free for adoption through termination of parental rights (TPR) or voluntary relinquishment.

- The Department includes and seeks input from children who are able to understand and participate in permanency planning in all planning activities and tasks.
- The Department seeks adoptive placements that provide stability and continuity for the adoptive children, including working with current caregivers to explore their interest and capabilities as potential adoptive resources and maintaining a child's connection to his/her siblings.
- The Department prepares and assists children and their potential adoptive families in the transition from foster care to adoption to prevent the disruption of adoptive placements.
- The Department evaluates and documents a child's behavioral, emotional, developmental, and medical needs in order to support the provision of direct services to the child and to determine eligibility for an adoption subsidy.
- The Department provides post-adoption services, as needed, to prevent disruption of the finalized adoption and to support the well-being of the family.

For Caregivers

- The Department explores and assesses the interest and capabilities of the child's current caregiver (relative, foster family care provider) as an adoptive resource when there is a need for a family to make a permanent commitment to care for the child. If the current caregiver is not available to adopt, Department adoption recruiters will seek a related or non-related potential adoptive family for the child.
- The Department provides structured preparatory training to caregivers in foster family homes and to potential adoptive families.
- The Department individually interviews and assesses the interest and caregiving capacity of families seeking to become adoptive caregivers and provides information and support for prospective adoptive families who wish to adopt a child in the custody of the Department of Family Services (DFS).

Purpose

The identification and selection of a permanent home for an individual child takes into account all federal and state legal requirements and child welfare best practices. These procedures promote sound permanency decision making and consistent social work practices.

Legal Basis

Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) 432B, *Protection of Children from Abuse and Neglect*, and NRS and NAC 127, *Adoption of Children and Adults*, provide

the legal basis for all activities required for adoption services for children in foster care. Adoption social workers must be familiar with these laws and regulations.

In addition to these laws and regulations, there are **additional provisions** in the Nevada statutes that govern adoption procedures. These are:

- NRS 125C.050: Provides additional requirements and guidance on obtaining court-ordered visitation rights for adopted children (e.g., persons who may visit, remedies when visitation is denied).
- NRS 126: Provides the legal definitions of parentage and describes procedures for establishing paternity and maternity.
- NRS 128: Provides for the protection of parents by establishing requirements and procedures for the termination of parental rights.
- NRS 159: Provides definitions and procedures to establish guardianship.

No Department staff provide legal advice. When an adoption social worker is asked about any legal or technical matter that is outside his/her areas of training and job responsibilities, he/she is expected to refer the matter to a supervisor.

Scope

These ***Adoption Policies and Procedures*** govern all activities to plan and finalize the adoption of legally free children¹ who have been in the custody of the Department by:

- Foster family homes or relative caregivers who have provided care to the child(ren).
- Potential adoptive families who have been recruited, trained and licensed by the Department to care for children with behavioral, educational, developmental, medical, or other needs.
- Families approved by private adoption agencies from out of state, other Nevada counties, or Clark County who are seeking to adopt a legally free child in the custody of DFS.

These procedures do **not** govern private adoptions. Clark County residents may use private adoption agencies/attorneys to assist them in completing a private adoption of children not in DFS custody. However, the Department may, on a case-by-case basis, provide assistance to Nevada citizens who, due to financial hardship, seek public assistance in finalizing a private adoption. In

¹ A foster child becomes legally free for adoption only (1) by termination of parental rights (TPR), (2) by voluntary relinquishment to DFS, or (3) after the death of the parent(s).

order to be processed, these requests for assistance must be reviewed by and have the prior approval of an assistant director.

Roles and Responsibilities of the Adoption Social Worker

Adoption social workers are assigned to permanency teams and work with permanency case managers to facilitate efficient and effective movement of children to adoption. Adoption social workers understand the specific processes, tasks, and documents that must be completed for an adoption to be finalized. To facilitate the timely adoption of children in Clark County, adoption social workers, to assist permanency case managers in this legal process, will:

- Perform regular case reviews with the permanency supervisor and permanency case manager to track cases moving toward adoption.
- Target cases that have been identified through the *Concurrent Planning Guide* as likely to have a permanency goal of adoption and begin case preparation for adoption.
- Problem-solve with the permanency team on removing barriers to adoption for children with behavioral or emotional, developmental, and medical needs.
- Provide the *Permanency Plan of Adoption Report* to the permanency case manager to be attached to the six (6) -month review of the court report.
- Assist permanency case managers with:
 - » Completion and updating of social summaries.
 - » Preparation of birth parent, child, and caregiver for voluntary relinquishment or termination of parental rights.
 - » Court presentations on progress toward adoption during concurrent planning as requested and as required after the permanency goal has been changed to adoption.
 - » Witnessing relinquishments for cases in which they are not the assigned adoption social worker.
 - » Completion of the *Confidential Report* for adoptions that finalize in Clark County.
- Assist in the selection process of an adoptive family.
- Complete or update the *Home Study* for all potential adoptive families.
- Attend Homestretch Adoption Review Team (HART) meetings.
- Assist and/or guide the permanency case manager in preparing the documents required to support a child's need for an adoption subsidy.

- Provide guidance to the permanency case manager on issues specific to adoption (e.g., dealing with grief and loss, maintaining connections) during concurrent planning.
- Assist and work with the permanency case manager to prepare the child and the birth and adoptive parents.
- Review legal documents from attorneys in other jurisdictions to ensure they are in compliance with Nevada statutes.

Roles and Responsibilities of the Adoption Supervisor

Throughout the time that the permanency case manager and permanency supervisor are working with the adoption social worker, adoption supervisors support the work of the team in the following ways:

- Provide administrative supervision, including assignment of the adoption social worker as the secondary worker in UNITY.
- Work collaboratively with the permanency supervisor to ensure that the adoption social workers complete all assigned tasks in a timely manner.
- Share their in-depth knowledge of the process of adoption with the adoption social worker and the permanency case manager and supervisor and offer alternative solutions when there are technical problems or more complicated cases.
- Attend Homestretch Adoption Review Team (HART) meetings.
- Review all documents produced in the process of adoption for accuracy and completeness.
- Meet regularly with adoption social workers and the adoption subsidy specialist to supervise, review, and support their work.
- Provide initial and on-the-job training of adoption social workers.

Teaming Approach

To make concurrent permanent plans and finalize an adoption requires the combined effort of many individuals: biological parents and other family members, DFS staff, relative and foster family home caregivers, potential adoptive families, and others supportive to the involved families. In order for the child to be placed with a permanent family, all staff must complete their assigned tasks in a coordinated and timely manner in a team approach.

The primary mechanisms for teaming are: (1) one-to-one case conferences between the permanency case manager and the adoption social worker assigned to his/her team, (2) case conferences at permanency team meetings to which, at least quarterly, adoption social workers and

recruitment staff will be invited, (3) Child and Family Team meetings to identify potential adoptive resources, and (4) HART meetings. (See *Section 6620: Adoptive Resource Child and Family Team Meeting* and *Section 6700: HART: Confirming or Selecting an Adoptive Resource* for detailed information about Child and Family Team and HART meetings, respectively.) If there are disagreements among the DFS professionals about case direction or tasks, the supervisors will resolve them. If this is not successful, the assistant manager of permanency will be consulted.

The permanency case manager carries the case, completes court documentation, makes court appearances and is responsible for ensuring that services are provided. The permanency case manager is the sole provider of DFS direct services to the child and family until adoption becomes the permanency goal. The permanency case manager is responsible for completion of the initial *Social Summary* within forty-five (45) days of opening the case and, thereafter, updating it every six (6) months until adoption becomes the permanency goal. The permanency case manager completes the *Social Summary* with assistance and information from clerical support, the Receiving Team, and the adoption social worker.

The *adoption social worker* tracks the progress of each child with a permanency and movement in the concurrent plan of adoption by using applicable adoption management reports. The adoption social worker assists in concurrent planning for all children served by his/her assigned teams. Until the court establishes adoption as the permanency goal, the adoption social worker assists the permanency case manager in the adoption planning process as part of concurrent planning. The adoption social worker provides individual consultation and hands-on assistance to permanency workers in documenting the medical, developmental, and educational reports needed for the *Social Summary* to ensure that the *Social Summary* and its documentation conform to all requirements for adoption. The adoption social worker provides whatever assistance is needed to obtain documentation for the *Social Summary*. Once the adoption permanency goal is approved by the court, the adoption social worker is assigned as the secondary worker for the family. The adoption worker then conducts home visits, updates the court on the status of the adoption, and becomes more active in providing direct services to the children and caregivers to prepare them for adoption. Additionally, once the permanency plan is adoption, the adoption social worker updates the *Social Summary* every six (6) months until the adoption is finalized.

The *eligibility specialist* determines the child's eligibility and identifies the funding source(s) for an adoption subsidy. The eligibility specialist completes page five (5) of an *Adoption Subsidy Application* from the adoption social worker and evaluates the application according to federal and state standards.

Tasks	Staff Responsible
Collaborate regarding case work and planning for child's permanency.	<ul style="list-style-type: none">• Adoption social worker.• Permanency case manager.

Tasks	Staff Responsible
Collect information and documents for the <i>Social Summary</i> .	<ul style="list-style-type: none"> Investigator. Receiving team. Adoption social worker. Permanency case manager.
Complete the initial <i>Social Summary</i> within forty-five (45) days and update it every six (6) months until adoption becomes the permanency goal.	<ul style="list-style-type: none"> Permanency case manager.
Document adoption consultation in UNITY.	<ul style="list-style-type: none"> Adoption social worker.
Review medical records obtained from the Medical Case Management (MCM) unit.	<ul style="list-style-type: none"> Permanency case manager.
Provide primary case management, complete all court reporting, make referrals and monitor services, and provide all direct services until permanency is achieved.	<ul style="list-style-type: none"> Permanency case manager.
Update the <i>Social Summary</i> every six (6) months with assistance from the adoption social worker until adoption is established as the permanency goal.	<ul style="list-style-type: none"> Permanency case manager.
Update the <i>Social Summary</i> every six (6) months after the permanency goal becomes adoption.	<ul style="list-style-type: none"> Adoption social worker.
Provide direct services to prepare the child and potential adoptive family when the permanency goal becomes adoption.	<ul style="list-style-type: none"> Adoption social worker.
Determine child eligibility for adoption subsidy.	<ul style="list-style-type: none"> Eligibility specialist. Adoption subsidy specialist.

6200. Types of Adoptions

The core functions of the adoption social worker for adoption planning and finalization are uniform. **However**, the tasks that must be completed to plan and finalize an adoption may vary somewhat based on the type of adoption and associated legal and administrative requirements. These are:

- Current Caregiver Adoption.
- Child-Specific Recruitment Adoption.
- Interstate Compact on the Placement of Children (ICPC) Adoption.
- Nevada Intrastate Adoption.

- Employee Adoption.

Specific considerations and tasks for each type of adoption are described below.

Documentation

6210. Current Caregiver Adoption

The majority of foster children are adopted by their current caregivers (i.e., relatives or foster families). The approval for an adoption by a current caregiver residing in Clark County includes a review of the family by the adoption social worker, including verification of the home's current licensing status. (See *Section 6340: Licensing Requirements for Adoption*.) The adoption social worker works with the assigned licensing representative to complete the initial licensing process or to complete the *License Change Request* to ensure that the home meets all requirements for foster family home licensing and adoption approval. After the family has been approved for adoption and negotiation of the adoption subsidy has occurred, a *Confidential Report* is written to the court, and finalization of the adoption can occur. These tasks are completed by various DFS staff and are summarized in the table below.

Documentation

Specific Additional Tasks	Staff Responsible
Verify licensing and adoption approval status of caregiver.	• Adoption social worker.
Complete initial licensing process and/or complete <i>License Change Request</i> for adoption approval.	• Licensing worker.
Conduct a review of the history and current status of the adoptive resource (e.g., MAPP profile, out-of-home safety checklist, case notes).	• Adoption social worker.
Facilitate completion of the recruitment process to confirm selection of caregiver.	• Adoption recruiter.

6220. Child-Specific Adoption Recruitment

A child-specific adoption recruitment involves the formal recruitment, identification, and selection of the potential adoptive family. Adoption recruiters are responsible for recruiting families interested in and capable of adopting foster children. Before a request for recruitment is made, the adoption social worker will search the case file and consult with the permanency case manager to determine if there are any additional familial or other resources that should be contacted to determine if they

may be interested in adopting the child. (See *subsection 6320.b: Confirm or Select Adoptive Resource*.)

If the adoption social worker and permanency case manager cannot identify a qualified potential adoptive resource, a referral is made for child-specific recruitment. In order for recruitment to commence, the permanency case manager, with assistance from the adoption social worker, must complete the *Recruitment Packet*, which includes:

- Registration forms.
- A digital photograph identification.
- A *Social Summary* updated within the past six (6) months.
- Documentation that the child is legally free for adoption (e.g., copy of the parental relinquishment, TPR order, *Order Permitting Recruitment* [only if the child is not legally freed for adoption], or death certificate[s] of parent[s]).

These tasks are completed by various DFS staff and summarized in the table below.

Tasks	Staff Responsible
Recruit families interested in and capable of adopting foster children.	<ul style="list-style-type: none">• Adoption recruiter.
Facilitate HART process to identify and select a potential adoptive parents from among all options.	<ul style="list-style-type: none">• Adoption recruiter.
Present the child to the potential adoptive family and reach agreement to proceed.	<ul style="list-style-type: none">• Permanency case manager.• Adoption recruiter.

Documentation

6230. Interstate Compact on the Placement of Children (ICPC) Adoption

a. Nevada as Receiving State

Interstate Compact on the Placement of Children (ICPC) requires that DFS provide specific protective services when Nevada is the receiving state (i.e., a child in the custody of an out-of-state authorized child-placing agency wishes to place a child for adoption with a potential adoptive family residing in Clark County). For these cases, the child is in the custody of an agency out of state, but

the adoption process is managed by the DFS ICPC worker – not the adoption social worker. However, other DFS staff provide assistance to the ICPC worker.

Documentation

Tasks	Staff Responsible
Receive parental relinquishment (<i>Form 100A</i>).	<ul style="list-style-type: none">• ICPC worker.
Confirm the licensing status of the potential placement and refer to the Licensing unit when necessary.	<ul style="list-style-type: none">• Permanency case manager.
Complete licensing and adoption approval, including the <i>Home Study</i> .	<ul style="list-style-type: none">• Licensing representative.
Prepare documents necessary to support the court order of adoption and subsidy determination.	<ul style="list-style-type: none">• ICPC worker and• Worker in requesting state.
Provide direct supervision of placement.	<ul style="list-style-type: none">• ICPC worker.
Provide quarterly supervision reports to the child-placing agency.	<ul style="list-style-type: none">• ICPC worker.
Provide a <i>Confidential Report</i> to the court if the case will be finalized in Clark County.	<ul style="list-style-type: none">• ICPC worker.
After finalization, refer the family to the eligibility specialist for ICAMA only.	<ul style="list-style-type: none">• ICPC worker.

b. Nevada as Sending State

When an adoptive resource is selected in another state, an adoption social worker is assigned to prepare the child, complete the *Consent to Adopt* with all of the required attachments, and facilitate all subsidy agreements.

Documentation

6240. Nevada Intrastate Adoption

Clark County cooperates with the Nevada Division of Child and Family Services and Washoe County Department of Social Services when the child is from another county and being placed in an adoptive home in Clark County **or** the child is a Clark County foster child being placed in another county.

The DFS adoption social worker has the same tasks and responsibilities with assistance from the permanency case manager (e.g., obtaining information on the child, obtaining required documenta-

tion, providing quarterly supervision reports (perm case manager) for completing an adoption in Clark County by teaming with the assigned permanency case manager.

(i) DFS as Sending County

When an adoptive resource is selected in another county, the permanency worker will complete the *Intrastate Packet* in order to arrange for an adoption *Home Study* and monthly supervision in the **receiving** county. Once the resource has been approved to adopt, the permanency case manager will refer to the DFS adoption unit to have an adoption social worker assigned to the case. The DFS adoption social worker completes the *Consent to Adopt Request Form* with all of the required attachments and facilitates all subsidy agreements. The adoption will be finalized in the **receiving** county.

(ii) DFS as Receiving County

When an adoptive resource is selected in Clark County, the assigned case worker in the sending county will complete the *Intrastate Packet* in order to arrange for an adoption *Home Study* and monthly supervision by DFS. The **sending** county will be responsible for all subsidy-related tasks. Clark County will complete finalization tasks, if requested by the sending county. The **sending** county is responsible for providing DFS with a consent to adopt.

Documentation

Tasks	Staff Responsible
Witness parental relinquishment when the parent(s) resides in Clark County.	<ul style="list-style-type: none"> Adoption social worker in the county of parent's (parents') residence.
Complete the <i>Home Study</i> and refer the parent(s) for licensing.	<ul style="list-style-type: none"> Licensing worker in the county of adoptive resource's residence.
Prepare documents necessary to the support the court order of adoption and subsidy determination.	<ul style="list-style-type: none"> DFS adoption social worker and Adoption social worker/permanency case manager in the requesting county.
Provide direct supervision of placement.	<ul style="list-style-type: none"> DFS adoption social worker or the adoption/permanency case manager in the county of the pre-adoptive placement.
Provide quarterly supervision reports to the child-placing agency.	<ul style="list-style-type: none"> DFS adoption social worker or the adoption/permanency worker in the county of the pre-adoptive placement.
Provide a <i>Confidential Report</i> to the court if the case will be finalized in Clark County.	<ul style="list-style-type: none"> DFS adoption social worker.

6250. Employee Adoption

State law allows the homes of agency employees to become licensed foster family homes for any child other than a child who is on that employee's caseload presently or has been on that caseload in the preceding three (3) years.

Documentation

Task	Staff Responsible
Obtain prior approval for adoption prior to placement.	<ul style="list-style-type: none">• Potential adoptive parent employed by DFS.• Permanency case manager.
Observe all restrictions on placement of children in homes of employees.	<ul style="list-style-type: none">• Placement specialist.
Authorize adoption.	<ul style="list-style-type: none">• DFS director or designee.
Approve/deny adoption subsidy request.	<ul style="list-style-type: none">• DFS director or designee.
Ensure the employee's adoption record is kept in a locked, confidential manner.	<ul style="list-style-type: none">• Adoption social worker and supervisor.

6300. Concurrent Planning for Adoption

In the vast majority of cases, the permanency goal established at the time of initial placement is family reunification. Throughout the time the child is in placement, the permanency case manager and adoption social worker conduct concurrent planning for reunifying the child with his/her family and/or moving toward adoption.

In order to formally establish the basis for adoption, DFS must complete the tasks listed below.

Tasks	Staff Responsible
Review and evaluate the permanency goal and obtain the court's approval for plan of adoption.	<ul style="list-style-type: none">• Permanency case manager with supervisor approval.
Prepare the adoptive case (transfer responsibility for the child's <i>Social Summary</i> and identify/recruit adoptive family).	<ul style="list-style-type: none">• Permanency case manager.• Adoption social worker.• Adoption recruiter.
Verify the legal status of the child.	<ul style="list-style-type: none">• Permanency case manager.• Adoption social worker.
Ensure that the potential adoptive resource is properly licensed.	<ul style="list-style-type: none">• Permanency case manager.• Adoption social worker.

There are two quarterly teaming meetings for concurrent planning. For planning for an individual child or sibling group, Child and Family Team (CFT) meetings occur a minimum of every ninety (90) days or more frequently, if necessary, to evaluate the family case plan and the progress toward goals or the need to change the goals. The permanency case manager is responsible for scheduling and documenting the results of each CFT meeting. The results of these meetings are documented in the UNITY family case file. For internal planning and management of the permanency team's caseload, the permanency supervisor invites the assigned adoption social worker and recruiter for a quarterly review of opportunities or barriers to adoption.

Documentation

6310. Review and Evaluate the Permanency Goal

a. Establishing the Permanency Goal

The permanency goal for the child is established at the Case Planning CFT meeting within forty-five (45) days of removal. In most cases, the initial permanency goal will be reunification. During the time that the permanency case manager is working toward reunification, the adoption social worker will:

- Participate in case staffing when requested regarding permanency planning.
- Review the case and verify if ICWA applies.
- Verify the legal and putative parents and the necessary steps to legally free the child for adoption.
- Assist in preparing relinquishment or TPR documents to ensure their accuracy.
- Counsel the parents regarding relinquishment.
- Review any pertinent assessments for the child.
- Assist in reviewing the *Social Summary* to ensure accurate information is included and identify any missing information, specifically family history.
- Track Adoption and Safe Families Act (ASFA) timelines on the assigned team case(s).
- Staff potential adoptive resource to determine if it is appropriate for adoption.
- Select adoptive resource through the CFT meeting, if identified.
- Review any post-adoption agreements prior to assisting with relinquishment or TPR documents.

This work continues until it is necessary to change the permanency goal. Changes in the permanency goal are guided by ASFA requirements but are based on sound social work practices and recommendations confirmed by the court.

b. Time Frames for Changing the Permanency Goal to Adoption

The Adoption and Safe Families Act (ASFA) establishes time frames for initiating voluntary relinquishment or joining a court action to terminate parental rights for children in foster care.

Children are considered to be in foster care on the earlier of two dates: (1) the date of the first judicial finding that the child has been subjected to child abuse or neglect or (2) the date that is sixty (60) days after the date on which the child is removed from the home.

From this date, the permanency worker must consult with his/her supervisor and obtain approval to make a referral to the district attorney for a filing of termination of parental rights or obtain a relinquishment when the child has been in foster care under the responsibility of the county for twelve (12) months **or** for fifteen (15) of the most recent twenty-two (22) months. In order to meet these time frames for a judicial determination, the permanency worker consults regularly with his/her supervisor and seeks the assistance to the district attorney at the earliest possible date.

The investigator or permanency worker initiates earlier termination of parental rights when (1) the child is an abandoned infant as defined under Nevada law, or (2) the parent has been convicted of murder of another child of the parent; committed voluntary manslaughter of another child of the parent; aided or abetted, attempted, conspired, or solicited to commit such a murder or such a voluntary manslaughter; or committed a felony assault that has resulted in serious bodily injury to the child or to another child of the parent.

These requirements do not preclude the court from exercising its discretion to protect the health and safety of children in individual cases.

c. Mechanisms for Review and Evaluation

The primary mechanisms for establishing an adoption permanency goal are:

- Substantial evidence from the child protective investigation and/or the family case record, which leads the permanency case manager and supervisor to agree that it is in the best interest of the child to seek an alternative permanent family. This is documented on the *Concurrent Planning Guide*.
- There are two quarterly teaming meetings for concurrent planning.

- » For planning for an individual child or sibling group, Child and Family Team (CFT) meetings occur a minimum of every ninety (90) days or more frequently, if necessary, to evaluate the family case plan and the progress toward goals or the need to change the goals. The permanency case manager is responsible for scheduling and documenting the results of each CFT meeting. The results of these meetings are documented in the UNITY family case file.
- » For internal planning and management of the permanency team's caseload, the permanency supervisor invites the assigned adoption social worker and recruiter for a quarterly review of opportunities for or barriers to adoption.
- Supervisory consultation when the permanency case manager becomes aware of developments in the case that require immediate action (e.g., change in parent circumstances or movement of the child). The adoption social worker may be invited to participate in these meetings by the case manager or supervisor.

The permanency goal may be changed at any of these case meetings and consultations. A change in the permanency goal requires the approval of the permanency supervisor.

Documentation

d. Assessing Progress Toward Reunification

The permanency case manager, permanency supervisor, and adoption social worker review the progress of a child(ren) and his/her family toward reunification as requested by the permanency worker and/or supervisor in a staff team meeting; in person; by telephone; or in a regularly scheduled, quarterly CFT meeting. In addition, the adoption social worker assigned is invited quarterly to permanency team meetings.

Criteria and time frames for reviewing the child(ren)'s permanency goal at these meetings are documented in the case plan for the family.

- Permanency case managers, at intake, will work with the parent(s) to set measurable expectations and time frames for actions by the parent(s) and others to correct the situation(s) that brought the child(ren) into protective out-of-home care. This plan for reunification is documented in the case plan. (See *Section 5600: Case Planning*.)
- Quarterly, the CFT will review the parent's (parents') circumstances and progress toward changing the conditions that led to the removal. If parent(s) does not make progress toward agreed-upon changes, the CFT will discuss and engage in problem solving with the parent(s) and may revise his/her objectives and tasks. The parent(s) will sign the revised CFT plan. If the parent(s) is not present at the CFT, the permanency case manager will discuss

any revised or new expectations and document this discussion and agreement in the case file. (See *Section 6600: Selection and Preparation of Adoptive Family*.)

- In cases of abandonment when the parent(s) is not available **at the end of six (6) months**, the permanency case manager and adoption social worker will meet with the permanency supervisor to determine if it is appropriate to submit the case to the District Attorney's Office for TPR.
- If, **at the end of nine (9) months**, the parent(s) has made little progress toward changing the circumstances that brought his/her child(ren) into out-of-home care, the permanency case manager must review the case with the District Attorney's Office to determine potential and preliminary grounds for TPR. *NOTE:* The permanency case manager may request that the adoption social worker engage the parents to discuss their options, including voluntarily relinquishment of parental rights. If this is unsuccessful, the permanency case manager will refer the case to the District Attorney's Office to file for a TPR court hearing at the appropriate time.
- If **at the end of twelve (12) months**, or if the child(ren) has been in out-of-home care for fourteen (14) of the most recent twenty (20) months and the parent's (parents') progress does not warrant consideration of a reunification goal, the permanency goal must be changed to adoption with the approval of the supervisor and by order of the court.

Documentation

e. Exceptions to ASFA Time Frame Requirements

If the permanency case worker and supervisor agree that: (1) there are reasons to extend these services, (2) the parents are making progress, and (3) there is reason to believe that reunification is imminent, the supervisor may consult with the unit assistant manager to reach a decision on how to manage the case and meet ASFA allowances for exceptions with judicial approval. The ASFA provisions for exceptions are:

- The child in protective placement is being cared for by a relative,
- The case plan presents a compelling reason for determining that filing such a petition would not be in the best interest of the child, **or**
- The case plan identifies needed services for reasonable efforts for safe return home that have not been delivered within these time frames (e.g., completion of substance abuse treatment).

These ASFA requirements affect both reimbursement to the state and the federal Child and Family Services Review (CFSR). When there are sound social work reasons to propose an extension of

these time frames (e.g., reunification is imminent, the child is not legally free, there is no prospect of adoption), the permanency case manager and adoption social worker, with their supervisors, will develop alternative plans to present to the court.

Documentation

f. Obtain Court Approval for Permanency Goal of Adoption

At any point in these review processes, but **no later than** twelve (12) months after the child has entered substitute care, the permanency case worker, with supervisor approval, may ask the court to change the child's permanency goal to adoption. (See *Section 5000: Permanency Services Policies and Procedures* for information on obtaining court approval of a child's permanency goal.)

g. Initiate Adoption Assignment

When the court approves a permanency goal of adoption, within two (2) business days, the permanency case manager and supervisor must notify the adoption supervisor of the court's decision by e-mail.

- Within seven (7) days, the adoption supervisor will review the case in UNITY to determine the child's current legal status and tasks required for the completion of adoption and discuss required tasks with the assigned adoption social worker (e.g., steps toward voluntary relinquishment or termination of parental rights, post-adoption agreements, obtaining or creating a Life Book for the child).
- Within fourteen (14) days, the adoption social worker and supervisor will attend a case staffing meeting with the permanency case manager and permanency supervisor to assign specific tasks to the permanency case manager and adoption social worker. The permanency worker will add these tasks to the case plan.
- Begin development of the *Permanency Adoption Plan* (also called the *Adoption Attachment*), which must be completed three (3) weeks prior to all court hearings that address permanency.

Documentation

6320. Preparing the Adoptive Case

The adoption social worker has been in supervisory team meetings where the case has been discussed. When adoption becomes the permanency goal, the adoption social worker begins work with the child and potential adoptive family to prepare the case.

a. Update and Transfer Child's *Social Summary*

Upon establishment of the adoption goal, the adoption social worker must review the current *Social Summary* within five (5) business days to ensure it is current, complete, and comprehensive for the purpose of adoption.

- As part of concurrent planning, the adoption social worker regularly consults with the permanency case manager in the initial development of the *Social Summary* and each semiannual update to ensure that **all** required information and documentation for adoption finalization and subsidy determination is included.
- If the adoption social worker identifies any specific items that are missing or issues that need updates, he/she will provide this list to the permanency case manager, and together they will determine which of them will obtain the needed information and/or documentation. The permanency case manager will revise the *Social Summary*.
- Once the permanency case manager and adoption social worker agree that the current *Social Summary* is complete, the adoption social worker assumes responsibility for the semiannual *Social Summary* updates.

Documentation

b. Confirm or Select Adoptive Resource

Throughout the life of the case in substitute care, the permanency case worker and adoption social worker discuss and evaluate which potential adoptive home(s) can best meet this child's needs. This work is conducted in regularly scheduled supervisory team meetings and CFTs.

(i) Confirm Adoptive Resource

In most cases, the best potential adoptive resource for a particular child is identified before the court confirms the permanency goal of adoption.

- Within one (1) week of assignment, the adoption social worker and the permanency case manager will identify all potential adoptive resources based on their knowledge of the case, the case record, and consultation with the DFS staff previously assigned to the child. These resources may include the current foster family home, relatives, a prior foster family home, or licensed foster family homes that have expressed an interest in adoption.
- Within two (2) weeks of assignment, the adoption social worker and the permanency case manager will meet with the current related or unrelated caregiver to discuss and assess his/her interest in adoption.

- Within four (4) weeks of the formal establishment of the adoption goal, the adoption social worker convenes the adoptive resource CFT meeting to evaluate **all** previously identified alternative adoptive resources and select the resource that can best meet the needs of the child for care and continuity. (See *Section 6600: Selection and Preparation of Adoptive Family.*)

Documentation

In the adoptive resource CFT meeting, the team selects the family that can best needs of the child for care and continuity. If the adoption social worker has any question about the selection, he/she may make a referral to HART for staffing review and confirmation. (See *subsection 6320.b.iii: Homestretch Adoption Review Team (HART) Meeting.*) **NOTE:** The potential adoptive resource does **not** attend this initial meeting, as it is a discussion regarding potential adoptive resources and review of all other resources that have been explored.

(ii) Identify an Alternative Adoptive Resource

If the adoptive resource CFT meeting does **not** select a family for the child, a search begins for an adoptive placement. When the CFT cannot identify a potential adoptive family, the permanency case manager **must** make a referral to the recruitment unit by completing the *Recruitment Packet* within fourteen (14) days.

- The permanency case manager, with assistance from the adoption social worker, will submit recruitment registration forms, a digital photograph identification, a copy of the Order Permitting Recruitment, the DFS *Relinquishing the Child for Adoption* form, or the TPR order and Social Summary, updated within the past six (6) months.
- The adoption recruiter will seek to identify a potential adoptive family by mining the case for persons connected to the child and by searching the pool of currently licensed foster/adopt families. If the review of the case identifies an unlicensed potential resource, the adoption recruiter will refer the family to licensing and to the adoption social worker assigned to the child.

Documentation

When the child's permanency goal is adoption but he/she is **not** totally legally free, DFS may wish to initiate recruitment of an adoptive resource. In this case, the permanency case manager **must** request an *Order Permitting Recruitment* from the court.

(iii) Homestretch Adoption Review Team (HART) Meeting

When the recruitment process leads to the identification of an adoptive resource, this recommendation must be reviewed in the next regularly scheduled HART meeting. The HART review provides

an unbiased review of the recommendation and confirms that all legal and administrative requirements are met (e.g., Multiethnic Placement Act [MEPA] requirements; abilities of the family, including financial ability, to care for the child). (See *Section 6700: HART: Confirming or Selecting an Adoptive Resource.*)

HART is convened and facilitated by the supervisor of the recruitment unit and is composed of:

- An adoption supervisor.
- A child welfare services or administrative services assistant manager.
- A family clinical services staff member.
- Staff from the Court Appointed Special Advocate (CASA) program.
- Direct services staff working with the child required to attend are:
 - » The child-specific recruitment adoption recruiter assigned to the case.
 - » The permanency case manager assigned to the case (optional for his/her supervisor to attend).
 - » The adoption social worker assigned to the permanency team.

The permanency case manager may invite other individuals to attend the meeting and to provide information. These may include:

- The parent(s)/caregiver(s).
- Wraparound In Nevada for Children and Families (WIN) or children's clinical services workers.
- CASA volunteers.
- Children's Attorney Project (CAP) attorneys.
- Treatment home staff (if involved).
- Any other individuals who have worked closely with the child (e.g., other service providers).

These invited individuals are excused from the meeting after their presentations and will **not** be present for the review of the home studies and the selection of an adoptive resource. It is DFS policy that only agency staff and core HART members may review the prospective adoptive parent home studies. Therefore, other members of the Child and Family Team or others who may be present at the beginning of the HART meeting may not review the home studies unless these documents have been redacted.

Documentation

6330. Verify the Legal Status of Child

Within seven (7) days of the establishment of the adoption goal, the permanency case manager, with the assistance of the adoption social worker, must review the file to verify the legal status of the child and to ensure he/she is free for adoption. A foster child becomes legally free for adoption only (1) by termination of parental rights (TPR), (2) by voluntary relinquishment to DFS, or (3) after the death of the parent(s). The adoption social worker works with the permanency case manager to engage the parent(s) to voluntarily relinquish his/her parental rights. If this is unsuccessful, the permanency case manager and permanency supervisor, in consultation with the Department's legal representation, must evaluate when to request that the district attorney file to terminate parental rights. (See subsection 61120.c: *Decision to File a Petition to Terminate Parental Rights [TPR]*.) Documentation of these events is required for **each** parent.

NOTE: Only a relinquishment to DFS or TPR will be considered by DFS as making a child legally free for adoption, as is pursuant to statute. Relinquishments must be documented on the DFS *Relinquishing the Child for Adoption* form.

The following tasks must be completed by the adoption social worker to verify the legal status of the child(ren):

- Review the legal birth certificate(s) obtained from the Medical Case Management (MCM) unit with the child(ren)'s to verify his/her name and identify parents listed on the birth certificate.
- Review the record(s) to see if mother was legally married at the time of the child(ren)'s conception and birth. If not married, check record to determine if:
 - » The birth mother was cohabiting at this time to establish the putative father, or
 - » An affidavit of paternity was completed, or
 - » The birth mother named any father.
- Verify that there has been a TPR for both the mother and father listed on the birth certificate. If no father/putative father is identified, ensure that a TPR is completed for "any other person claiming to be the father."
- Review each voluntary parental relinquishment to ensure that it meets all legal requirements, including:

- » A separate relinquishment for each child is completed on the DFS *Relinquishing the Child for Adoption* form. Each of the four (4) pages of the form must be completed in full. *NOTE:* Relinquishments will only be taken for a child(ren) who is a ward of the court.
 - The child(ren)'s name, date(s) of birth, place(s) of birth, and gender(s) correspond to the filed birth certificate(s).
 - The relinquishment form must be witnessed by a licensed social worker who is employed at the Department and who is **not** actively working on the case at the time the relinquishment is accepted.
 - Any different name by which a parent is known must be included and signed on the relinquishment.
 - The completed and witnessed relinquishment is notarized.
- To obtain a relinquishment from a parent(s) living out of state, the adoption social worker will send the DFS *Relinquishing the Child for Adoption* form to an authorized child-placing agency (i.e., the public child welfare authority or licensed private agency) in that state. The completed and returned relinquishment form must meet all of the requirements listed above.
- Verification of the legal status of the child(ren) must be documented on the Legal Status Review Form.
- If a child(ren) is of American Indian heritage and the Indian Child Welfare Act (ICWA) applies, the following additional requirements must be met:
 - » The child(ren) must be at least ten (10) days old.
 - » The permanency case manager must attach documentation that the tribe has been contacted. This is documented on the *TPR Referral Form*.
 - » Relinquishment of parental rights from birth/legal parents must be taken in court before a judge by a licensed social worker employed by the Department.
- If a parent is deceased, obtain a death certificate for that parent.

Documentation

6340. Licensing Requirements for Adoption

The potential adoptive resource must be licensed as a foster family home and meet four (4) additional requirements for adoption approval. The Licensing unit will receive and verify the following documentation:

- Current physical exams, including current tuberculosis test results, for the entire family.
- That the applicant is ten (10) or more years older than the child.
- All marriages, divorces, and deaths of spouses (marriage/death certificate, divorce decree).
- Legal residence in Clark County.

These documentation requirements must be submitted to the DFS licensing unit and included in the licensing file. The permanency case manager must verify the current licensing status of the potential adoptive resource with the licensing unit.

Documentation

6400. Preparation of the Birth/Legal Parent(s) for Adoption

The permanency case manager and adoption social worker have prescribed tasks for preparing the birth/legal family.

- During the early part of the case, the permanency case manager actively assists the parent(s) in implementing the reunification plan. In addition, the permanency case manager must also clearly inform the parent(s) of his/her responsibility in correcting the conditions that brought the child(ren) into care and the consequences of failing to do so.
- Once the child(ren)'s goal becomes adoption, the adoption social worker takes the lead in preparing the birth parent(s) for adoption. The permanency case manager remains primary on the case, but the adoption social worker conducts this preparatory work with the child(ren)'s parent(s).

Whether the child(ren)'s adoption plan is voluntary or involuntary, this will be a very difficult period for the birth parent(s). Even though it is difficult, the birth/legal parent's (parents') active participation in adoption planning is desirable because it allows the birth parent(s) the opportunity to give the child(ren) permission to move on. The permanency case manager and adoption social worker ensure that the parent(s) understands ASFA guidelines, court expectations, DFS' role, and his/her own responsibilities. The permanency case manager and adoption social worker will assist the parent(s) in letting go of his/her parental role and providing permission to his/her child(ren) for moving forward toward permanency.

There are four (4) critical elements in concurrent planning that are specifically related to the preparation of the parent(s) for the loss of parental rights.

- Concurrent planning is discussed from the initial Case Planning meeting and throughout the process until a permanent disposition has been accomplished.
- The parent(s) will meet with the child(ren)'s therapist, if the child(ren) is in treatment. The therapist will assist the parent(s) in bringing closure to the parent-child relationship in the best manner for the child(ren).
- DFS staff will continuously seek information from the parent(s) for the child(ren)'s Social Summary and Life Book.
- DFS staff will use critical skill elements in the preparation work: engaging the parent(s), listening to the parent's (parents') story, speaking the truth, validating the parent's (parents') story, creating a safe space, going back in time, and recognizing pain as part of the process.

The tasks of birth parent preparation for adoption are listed below.

Tasks	Staff Responsible
Assist the parent(s) during reunification, explain ASFA timelines for reunification, and have the parent(s) sign form to document information received.	<ul style="list-style-type: none"> • Permanency case manager.
Explain both voluntary relinquishment and TPR to the parent(s).	<ul style="list-style-type: none"> • Adoption social worker.
Provide the <i>Nevada Adoption Registry</i> form to the parent(s) to complete.	<ul style="list-style-type: none"> • Adoption social worker.
Assess the ability of the parent(s) to assist the child(ren) in becoming a member of a new family and discuss potential involvement of the parent(s) in the adoption process.	<ul style="list-style-type: none"> • Adoption social worker. • Clinician.
Obtain information for the Life Book and <i>Social Summary</i> from the parent(s).	<ul style="list-style-type: none"> • Permanency case manager. • Adoption social worker.

In the assessment of the birth parent(s) over time, the permanency case manager and adoption social worker must determine the capacity of the parent(s) to participate in the adoption planning.

6410. Birth/Legal Parent Notice During Concurrent Planning

The permanency case manager must engage the parent(s) in concurrent planning from the onset of the case. At the initial meeting with the parent(s), the permanency case manager tells the parent(s) that his/her role as the case manager is to work with him/her toward reunification and that he/she must also plan concurrently. The permanency case manager will:

- Emphasize the ASFA timelines and clearly discuss and detail the information to ensure that the parent(s) is aware of the mandated time frame in which reunification or an alternative permanency option must occur.
- Emphasize the need for, at a minimum, contact once per month with the parent(s) to discuss the progress toward reunification and to continue to discuss the permanency plan for the child.
- Encourage the parent(s) to be an active participant in finding the best placement for the child and seek the input of the parent(s) on options of relative(s) who would be the most appropriate short- or long-term placement for the child.
- Develop and maintain an ongoing dialogue with the parent(s) about his/her reunification case plan, his/her ability to parent, and the best interests of the child for permanency.

At the Transition Planning CFT meeting, the formal reunification case plan is developed. At this CFT meeting, the permanency case manager:

- Presents the ASFA requirements to the parent(s), ensures that he/she understands it, and obtains his/her signature on the ASFA Parent Acknowledgement Form. The ASFA Parent Acknowledgement Form documents the parent's (parents') rights to access services and lists ASFA timeline requirements for filing the TPR petition.
- Identifies needed services and plans to obtain them so that the parent(s) implements the reunification plan for the family.
- Lists requirements and time frames for establishing the adoption goal and initiating the termination of parental rights petition.

While the permanency case manager makes reasonable efforts for reunification throughout the case with the parent(s), the permanency case manager at the same time discusses other permanency options with the parent(s) if reunification cannot be achieved. The permanency case manager and adoption social worker will:

- Six (6) to eight (8) months after intake, the permanency case manager meets with the supervisor to determine the appropriateness in submitting the case for termination of parental rights to the District Attorney's Office.
- The permanency case manager addresses the decision to change the permanency goal to adoption with the parent(s).
- The permanency case manager explains the process and time frames of the adoption, including the amount of time it takes between submitting the file to the District Attorney's Office and obtaining a court date.

- The adoption social worker then discusses in detail the time frame and difference in the options of voluntary relinquishment and termination of parental rights. The adoption social worker will never encourage or discourage the parent(s) to choose either option; his/her purpose is to provide the information so the parent(s) is fully informed.

6420. Birth/Legal Parent Participation in Adoption

During a face-to-face interview(s), the adoption social worker will use his/her skills to provide critical information, engage the parent, listen to him/her discuss his/her sad feelings, and respond to his/her fears or concerns for the child(ren). In the interview(s), the adoption social worker will:

- Ask the parent to meet with the child(ren)'s therapist, if the child(ren) is in treatment, to prepare an appropriate plan to say good-bye to the child(ren) and help the parent give the child(ren) permission to let go of his/her current family and accept and move on to a new family. The purpose of the meeting is for the therapist to guide the parent in helping the child(ren) make this transition to a new family.
- Gather from the parent's information for the child(ren)'s Life Book.
- Gather any further information for the Social Summary.
- Offer to arrange clinical services for the parent to assist him/her with his/her loss and the grieving process.
- Provide information to the parent about the Nevada Adoption Registry. This mutual-consent registry assists adult adoptees, birth/legal parents, and relatives to conduct searches for each other when the other eligible parties have filed applications agreeing to the release of identifying information. The adoption social worker will document the results of this discussion with the birth/legal parent in the case file.
- Offer the parent a keepsake of the child(ren)'s, such as a current photograph.
- Coach/assist the parent in appropriate language for conversation with his/her child(ren) during the continuing parent/child visitations.
- Discuss the possibility of a parent/child contact agreement if it is in the child(ren)'s best interests.
- Discuss and identify potential adoption and visiting resources within the family.

In the interview(s), the adoption worker will assess the extent to which the parent can be involved in the adoption process. The adoption social worker will then encourage the parent to participate in adoption planning for his/her child(ren) to the extent that he/she is able and if it is in the child(ren)'s best interest. At a minimum, the adoption social worker is trained to create a safe environment for

the parent to review family history and connections and to provide information and photographs for the child(ren)'s Life Book.

When termination or relinquishment of birth/legal parental rights is complete, the adoption social worker **must**:

- Complete all activities for birth parent preparation.
- Offer to arrange external referrals for continuing support services for the parent to work through his/her loss.

6430. Voluntary Relinquishment or Termination of Parental Rights

While providing services focused on reunification, the permanency case manager will also discuss other possible permanency outcomes with the parent(s) if reunification is not achieved. When the concurrent planning process that takes place in the CFT has determined that the permanency goal should be changed to adoption and the supervisor approves, the adoption social worker will work with the birth/legal parent(s) to explain the consequences of the termination of parental rights via a court intervention and the option for the parent(s) to voluntarily relinquish his/her rights. The adoption social worker **must not** support either choice but must clearly explain the options and consequences of each option.

- Voluntary relinquishment of parental rights is irrevocable and has no appeal process. If the parent(s) chooses voluntary relinquishment, the adoption social worker will assist the parent(s) in completing the DFS *Relinquishing the Child for Adoption* form and obtaining a disinterested witness. The adoption social worker will document in the case file that the birth/legal parent(s) were notified that voluntary relinquishment of parental rights is irrevocable.
- Termination of parental rights has a thirty (30) -day appeal process. The permanency case manager will initiate and complete TPR if the parent(s) chooses not to relinquish his/her rights and there is a court-approved adoption goal.

NOTE: For cases of abandonment and those in which the parent(s) is not available, the permanency case manager and adoption social worker will meet with the permanency supervisor six (6) months from the date the child came into custody to determine if it is appropriate to submit the case to the District Attorney's Office for TPR.

Detailed information on these legal processes is contained in *Section 61100: Legal Process*.

Documentation

6440. Nevada Adoption Reunion Registry

The adoption social worker must introduce the Nevada Adoption Reunion Registry to birth/legal parents and provide them with the registration form. This mutual-consent registry assists adult adoptees, birth/legal parents, and relatives to conduct searches for each other when the other eligible parties have filed applications agreeing to the release of identifying information. Those eligible to register are:

- Birth/legal parents who have relinquished their rights or consented to a child's adoption through a public or private adoption agency in Nevada or whose parental rights were terminated by court order in Nevada. NOTE: Eligible parties for the registry include both public and private adoptions and, therefore, birth/legal parents who have consented to a child's adoption may also participate.
- Adult adopted persons age eighteen (18) and over, whose adoption was finalized in a Nevada court.
- Birth relatives related within the third degree of consanguinity of the adoptee. The registry requires that the birth parent provides written consent before identifying information regarding the adoptee can be released to a relative.
- All eligible parties must have applications on file for the matching process to proceed. Individuals may withdraw their applications at any time and are responsible for maintaining current contact information.

6500. Preparation of the Child for Adoption

Entering a new family can be a joyous occasion for the child. The permanency case manager has primary responsibility for assessing the child's readiness for adoption. The adoption social worker has primary responsibility for leading the child through the three (3) stages of adoption preparation: understanding the past, understanding adoption, and accepting adoption. The permanency case manager for current caregiver adoptions and the adoption social worker for other adoptions will present information on the adoptive family to the child.

For older children, considering a new family may be a challenge. Special considerations and tasks in preparing older children for adoption are discussed in *Section 6530: Special Approaches for Preparing Older Youths for Adoption*.

For procedures on preparation of the child to be adopted by a specific family, see *Section 6540: Informing the Child About the Selected Adoptive Family* and *Section 6910: Transition Planning CFT*.

Tasks	Staff Responsible
Discuss the child and his/her history with the adoption social worker.	<ul style="list-style-type: none">• Permanency case manager.
Assess child readiness as reflected in Child and Family Team meeting and the <i>Child Readiness for Adoption</i> form completed at that meeting.	<ul style="list-style-type: none">• Adoption social worker.
Work with the child to complete the three (3) stages of adoption readiness. Arrange services as needed.	<ul style="list-style-type: none">• Permanency case manager.• Adoption social worker.
Present information on the potential adoptive family to the child.	<ul style="list-style-type: none">• Permanency case manager.• Adoption social worker.
Discuss alternatives when the child refuses adoption and plan to revisit the permanency planning discussion at regular intervals.	<ul style="list-style-type: none">• Adoption social worker.• Permanency case manager.

6510. Assess Child's Readiness for Adoption

When the child is in substitute care, the permanency case manager and the adoption social worker must begin to assess his/her readiness for adoption when he/she has been in out-of-home care for nine (9) months and **before** the permanency goal is changed to adoption.

The permanency case manager must assess the child's readiness for adoption with the following actions:

- At each CFT meeting, discuss and document the child's functioning in the home, school, and community; the use of community and school-based services; and any currently unmet needs.
- At the adoptive resource CFT meeting, particularly assess the child's attachment to the current caregiver, alternative potential adoptive or visiting resources within the child's family, and the need for adoption recruitment.
- Within seven (7) days of the adoptive resource CFT meeting, complete the *Child Readiness for Adoption* form. The assessment must document the following:
 - » Child's developmental level.

- » Child's understanding of his/her history. This may be clarified through the use of interviews with others; an eco map; individual, play, or group therapy; and the Life Book.
- » The members of the team who will prepare the child for adoption and explain their respective roles. If the child has a therapist or other consistent service provider, he/she must also be included and perform a major role in the preparation of the child.
- Within seven (7) days of completing the *Child Readiness for Adoption* form, the permanency case manager, with the consultation of the adoption social worker and adoption recruiter (if involved), will implement a plan to provide services to the child as recommended in the assessment for adoption.

6520. Completing Stages of Child Preparation for Adoption

During the adoptive resource CFT meeting, a plan for adoption and selection of a permanent home for the child is completed. Within seven (7) days of these decisions, the permanency case manager implements the plan outlined in the *Child Readiness for Adoption* form.

The permanency case manager coordinates the implementation of the child preparation plan with the adoption social worker and any important service providers from a child's life. In order to begin the child preparation process, the permanency case manager and adoption social worker determine who will lead the initial discussion with the child and how they will team together to prepare the child for adoption. Other team members can also be identified to assist with this process as appropriate.

The first two (2) steps in child preparation provide information about what is planned and answers to questions. The process includes:

- Completing three tasks: clarification of life events, integration of all family members, and actualization in belonging to a new family.
- Answering five conceptual questions: Who am I? What happened to me? Where am I going? How will I get there? When will I know I belong?

The permanency case manager will engage the child, listen to the child's words, speak the truth, validate the child's life story, create a safe space, go back in time, and recognize that pain is part of the process. The permanency case manager may ask the adoption social worker to participate in these discussions or consult with the adoption social worker when a child is struggling with this situation.

Documentation

a. Understanding Adoption

The adoption social worker tells the child that his/her role is to help with the selection of an adoptive family, help the child meet the new parent(s), visit him/her, and help him/her move into the new home. The adoption social worker:

- Emphasizes the importance of adoption for children who cannot return to their birth family.
- Makes the child an active participant by seeking his/her input on what is important to him/her in an adoptive family.
- Develops and maintains an ongoing dialogue with the child about his/her adoption plan to help educate him/her on the process and to determine what he/she knows and feels about adoption.

Children in foster care have endured abuse, neglect, and abandonment, and most of them believe they are at fault for their removal. Many do not believe they deserve a permanent family. In order to teach the child about adoption, the adoption social worker:

- Explains that all children have a right to have at least one parent who loves, cares, and is available for them.
- Explains the differences between the different types of families (birth, legal, temporary, and caretaking) and why children may move from one to another or have more than one type at a time.
 - » Discusses the choices adults make that determine if a child moves from one type of family to another.
 - » Emphasizes that children do not cause these changes.
 - » Explains that adoption is one of several ways a child can enter a family.
- Reinforces that adoption is one way to make sure the child will have a parent who loves, cares for, and is permanently available to the child.
- Points out that the goal is for the child to have a permanent family for the rest of his/her life and that family does not end at age eighteen (18) (especially for teenagers who equate age eighteen [18] with being emancipated).
- Helps the child understand that everyone is committed to making the adoption work.

b. Understanding the Past

Many children in care do not know or understand the reasons why they were removed from their birth family and why they cannot return. Without this information a child is not likely to commit to the adoption.

At removal and placement, both the investigator and the permanency case manager explain to the child why he/she has entered care and what may happen next. When the adoption goal is established and an adoptive resource is identified, the permanency case manager will revisit these issues with the child and clarify past and future life events using language the child can understand and delivered in a developmentally appropriate and sensitive way. In order to ease some of the child's concerns, for himself and his/her parents, the permanency case manager:

- Explains to the child why he/she was removed from his/her birth family and why he/she cannot return. Explains that because the parents cannot keep the child safe, it is the role of the permanency case manager to keep the child safe and find a permanent, safe, and caring family for the child.
- Explains the reasons why his/her birth parents will not be parenting him/her to adulthood and that it is not his/her fault. If a contact plan is possible, this may also be discussed with the child.
- Explains the birth parents' case plan goals and any positive efforts that were made by the birth parents to achieve their case plan goals.
- Explains that a voluntary relinquishment, if applicable, is the birth parents' acknowledgement that they could not care for their child and chose adoption to ensure the child would receive proper care.
- Explains the court process of adoption and the protections that adoption offers.
- Introduces the child to the adoption social worker and explain that he/she will help the child gain a "forever family" and will answer all of the child's questions about "what's next."

Once the child is "grounded," the adoption social worker can provide critical information to him/her, including:

- All children have a right to a permanent family that is able to love them, care for them, and be available to them. There are different types of permanent and temporary families (i.e., birth parents, adoptive parents, guardians, and foster families).
- Adoption is one of several ways a child can enter a family.

- Adults make decisions about changes that affect children, and the children are not responsible for their movement from one home to another.
- The adults in the child's life are committed to making the adoption work, and there is a plan to help the child make the transition.
- The child's privacy will be protected if there are recruitment activities.

c. Accepting Adoption

(i) Current Placement

When the current caregiver of the child is selected as the adoptive resource and has agreed to adopt, the adoption social worker will work to coach him/her on what language and tools to use to support the child in this transition and engage him/her as a partner in preparing the child.

To initiate this partnership, the adoption social worker will meet with the current caregiver to gather information that will assist the caregiver and adoption social worker in providing consistent information to the child. At this meeting with the caregiver, the adoption social worker will:

- Explore how foster care and adoption are different.
- Encourage the caregiver to express in his/her own words what adoption will mean for the family and the child.
- Discuss any decisions regarding changing the child's last name (or first name) and explore whether the child has been involved in that decision or how to initiate that conversation.
- Develop a special calendar or countdown to the adoption finalization that will become part of the child's Life Book and shared with the child during the finalization process.

Using this information, the adoption social worker will conduct an individual face-to-face meeting(s) with the child to explain adoption and talk about the change. The adoption social worker will use age- and developmentally appropriate language and, if it would increase the child's comfort and sense of safety, may invite the permanency case manager and/or caregiver to participate. In this session, the adoption social worker will:

- Ask the child to verbalize what he/she believes the difference is between foster care and adoption.
- Help the child understand, in an age-appropriate way, that adoption provides a forever family and a permanent, not temporary, home for the child.

- If it would be age-appropriate to do so, explain the legal differences between foster care and adoption.
- Allow the child and caregiver to share in their own words what adoption will mean for them.
- Discuss with the child changing his/her name as part of the adoption process and how he/she feels about that. Explore how he/she wants to introduce a name change for school or other situations.
- Review the calendar or countdown that was created and celebrate each milestone in the process with the child.
- Assist the child with developing how he/she wants to share the news of his/her adoption with others (e.g., teachers, friends, church members).

(ii) Involving the Child in Adoptive Home Selection

The adoption social worker will discuss the selection of a potential adoptive home with the child when it is age-appropriate. This includes helping the child to describe in his/her own words what he/she expects adoption to be, including what he/she wants from the family. It is important to clarify his/her fantasies of what he/she thinks a family is like. The child's participation in selection activities often exposes the child's feelings, fears, and misinformation about adoption. These comments or occurrences are opportunities for the worker to:

- Explain to the child who is fearful about being adopted that potential adoptive parents will care for him/her and keep him/her safe. Explain that DFS has met the family, looked into its background, and taught it about adoption.
- Explain to the child that potential adoptive families want to know how he/she feels and what he/she needs.
- Help the child to understand and accept the potential length of time it may take to find the right family. Describe the length of time in terms that are familiar to the child (e.g., using upcoming holidays or important school dates).
- Coordinate efforts with the assigned recruiter if applicable and encourage the child to participate in recruitment functions. The recruiter will assist in explaining recruitment methods to the child.
 - » Based on age of the child, ask him/her for his/her ideas on how to let families know that he/she is available for adoption and compare these ideas to the methods currently in use.
 - » Be positive about his /her ideas and use the ideas if they are reasonable or possible.

- » Share with the child that families have been located for other children through the use of various media, recruitment events, and activities and that his participation in recruitment not only helps him, but also helps all children waiting to be adopted.
- » Be sensitive to the child's need for privacy and age-related reluctance to have peers know he/she is in foster care and needs to be adopted. This is especially critical for teenagers.
- Reassure the reluctant older child that he/she does not have to make a decision about adoption now, but that he/she should learn more about it and decide later if he/she wants to meet a family that is interested in him/her.

(iii) Explaining Planned Placement Movement to Adoptive Home

Helping the child understand the differences between the foster care and an adoptive home is important because the child may not view his/her placement with a foster family as temporary. If the child is moving to an adoptive placement, the adoption social worker:

- Helps the child to understand the planned transition from foster care to a forever family.
- Engages the foster parents in helping the child make the transition to a new home by:
 - » Explaining to the foster parents the importance of their involvement in the adoption process and including them in all phases of the process.
 - » Assisting the foster parents in developing an easy-to-understand explanation of why they are not adopting the child.
 - » Coaching the foster parents on concrete "permission messages" for the child to do well and move into the adoptive family.
- Encourages cooperation between the adoptive parents and the non-adopting foster parents.
- Encourages post-placement contact between the families to aid the child's integration into the adoptive family.

Many foster children were abruptly removed from the birth home, and some have experienced placement in more than one foster home. The child needs to be reassured that for the adoption, the move has been carefully planned. In order to accomplish this, the worker:

- Tells the child that there is family interested in getting to know him and explains how the family was selected with an emphasis on how the child's needs and interests were considered.
- Uses an Adoptive Family Album to initially introduce the child to the family.

- Encourages the foster parents to tell the child that they like the new family.
- Gives the child a basic overview of the planned placement move process, with emphasis on the visits.
 - » Tells the child the visits will increase in frequency and duration. Older children can have a copy of the transition plan. For younger children, the use of a calendar showing the planned visits and their locations is helpful.
 - » Assures the child that the first visit will occur in his/her current home (i.e., foster home or residential facility) or wherever he/she is the most comfortable.
 - » Reinforces for the child that the worker will talk to him/her, foster parents, and adoptive parents about how the visits are going.
- Reassures the child that placement will not happen until he/her and his/her new family is determined to be ready by the agency.
- Allows and encourages the child, when it is developmentally appropriate, to participate in the signing of the placement agreement.
- Helps the child develop a comfortable explanation of his/her adoptive placement to others and informs the foster and adoptive parents of the child's view.

(iv) Promoting Continuity and Belonging

The development of a Life Book validates and documents the child's history. For older children, letting them build their own Life Book can be an important statement of who they are. For nonverbal children, photographs and important family history should be gathered to incorporate into their Life Book.

The permanency case manager, adoption social worker, therapist, and foster parent coach and help older children develop the Life Book from the time they first enter care. For very young children, the permanency case manager and foster parent develop the Life Book. At minimum, a Life Book should include:

- A summary of significant events that have occurred in the child's life,
- Photographs of the child at regular intervals and special occasions (holidays, birthdays, school, etc.) beginning at infancy or entry into care; the worker should request baby pictures and other birth family photos at the time of the child's entry into care,
- Photographs of persons and places that are significant in the child's life,
- Items related to school, other classes if applicable sports, or membership groups (e.g., papers, report cards, drawings, collages, awards),

- Information from the birth parents or other caregivers (e.g., letters, videotapes, cassette tapes, mementos) on the child's life with them, and
- Messages to the child from as many important adults as possible (but especially from the birth parents and foster parents) that signal permission for the child to move into an adoptive family, to do well, and to love the new family.

Once the Life Book is completed, the adoption social worker:

- Gives the original to the child (or to the adoptive parents if the child is too young to keep it safely),
- Gives a copy to the adoptive parents, and
- Retains a copy in the child's case file.

(v) Reaching Closure

In the final stage of preparing the child to move on and join a new family, the adoption social worker **must**:

- Assist the child to describe in his/her own words what he/she expects adoption to be, including what he/she wants from the family. It is important to clarify his/her fantasies of what he/she thinks a family is like.
- If a child refuses adoption, discuss with the child his/her reasons for refusal and what would need to change to make the adoption workable for him/her. Make a specific plan for frequent, preplanned discussions with the child about adoption and a permanency plan. (See *Section 6530: Special Approaches for Preparing the Older Youths for Adoption.*)

Once the child has an understanding of adoption and the adoptive resource has been identified and selected, the Child and Family Team meeting for family and child preparation and/or Placement Transition planning meeting will develop specific plans to complete the adoption and assist the child and family until finalization.

6530. Special Approaches for Preparing Older Youths for Adoption

Considering a new family may be a challenge for older children, particularly children who have a greater experience with and knowledge of their birth/legal families. If the youth refuses adoption, the permanency case manager develops an alternative plan for the youth known as the Other Planned Permanent Living Arrangement (OPPLA).

Sensitive adoption recruiters and knowledgeable permanency case managers and adoption social workers are critical in helping older youths participate in permanency planning and benefit from permanent family who makes a commitment to them. The tasks of engaging older youths in permanency planning are listed below.

Tasks	Staff Responsible
Introduce the concept of adoption into conversations with the youth to accomplish future permanency planning.	<ul style="list-style-type: none"> • Permanency case manager, with consultation from adoption social worker.
Refer the youth for counseling if he/she requires additional services to consider this permanency choice.	<ul style="list-style-type: none"> • Permanency case manager.
Continue exploration of adoption and recruitment efforts.	<ul style="list-style-type: none"> • Permanency case manager. • Adoption recruiter. • Adoption social worker.
Present the family to the youth when an adoptive resource is found.	<ul style="list-style-type: none"> • Permanency case manager. • Adoption recruiter. • Adoption social worker.
If the youth continues to refuse adoption, develop an alternative permanent plan.	<ul style="list-style-type: none"> • Permanency case manager.
For the Other Planned Permanent Living Arrangement (OPPLA), the permanency case manager must submit compelling reasons for this living arrangement to the court.	<ul style="list-style-type: none"> • Permanency case manager.

In Nevada, children age fourteen (14) and older must provide written consent for their adoption. This is a legal document prepared by the adoptive parents' attorney. The permanency case manager, in the context of concurrent planning, helps the youth accept adoption through several discussions and referrals. The adoption social worker will assist the older youth in this transition as described below.

Documentation

a. (6530) Focus on the Strengths of Youth

Engagement of older children in adoption planning can be challenging because of the normal developmental tasks of adolescence. It is helpful if the permanency case manager's conversations with the youth about adoption issues are aligned with the adolescent's values. The Positive Youth Development Theory describes these values as assets and notes that they are central for older

children in decision making. These are: genuine usefulness (having something to contribute), power (having control over his/her future), competence (being able to do something well), and belonging (being part of the community). Successful engagement is founded on these assets. The permanency supervisor will assist any permanency case manager who has difficulty supporting teen adoption or working with older children.

The permanency case manager and adoption social worker will:

- Explain to the youth the need for permanent connections with caring adults and the concept of adoption and take advantage of all opportunities to engage the youth in conversations about permanency. Areas to explore with the youth include:
 - » Remembered and fantasized relationships.
 - » Hopes and dreams for his/her future.
 - » Fears, including the fear of rejection or attachment.
 - » Strengths and positive attributes that he/she contributes to his/her future.
 - » The youth's experience with the system and what he/she has come to expect from it.
 - » The youth's current developmental level and ability to understand adoption issues, including any typical adolescent development issues that may impact his/her responses (e.g., value development, identity experimentation, increased independence from family, peer influence, development of sexual identity, development of more adult relationships with family and other adults).
- Ensure that introductory conversations take place where the youth is assured privacy and can be comfortable to ask and answer questions.
- Respect the youth's pace and slowly introduce the concept of adoption so that he/she does not reject the possibility without understanding what adoption can mean in his/her life.
 - » Allow for disagreement and look for areas of agreement in conversations with the youth. Accept the youth's ambivalence and help him/her move through it.
 - » Reassure the reluctant youth that he/she does not have to make a decision about adoption now, but that he/she should learn more about it and decide later if he/she wants to meet a family who is interested in him/her.
- Help the youth talk about his/her readiness for the future, including life skills, education, vocational training, and who he/she thinks could assist and support him/she in meeting his/her goals. Throughout this discussion of adoption, there must be a focus on the strengths of the youth that links education, career planning, and future goals with the bene-

fits of a permanent family. These fact-based discussions should take into account the youth's developmental level and personal history to develop realistic prospects.

b. Focus on Connections of Youth

For a youth who is not adopted by the current caregiver, ask him/her to identify persons that he/she views as supportive and with whom he/she has had meaningful relationships in the past, as well as now. The following are examples of questions that may be helpful:

- Who took care of you when your parent(s) could not?
- If you ran away, where did you go?
- Where have you lived in the past? Who was your favorite foster parent and why?
- Who believes in you, stands by you, and is someone you can count on?
- Where do you go for holidays or on weekends?

c. Possible Barriers and Solutions

Previous history in the system and a youth's emotional connection to the birth family are some issues that can become barriers in the process of moving toward adoption with older children. The permanency case manager, with the consultation of the adoption social worker, should carefully engage the youth in discussing his/her particular barriers and solutions. Some examples of issues that the youth might raise and possible responses are:

- The youth feels it means he/she is betraying, giving up on, or being disloyal to his/her birth family. Honor and explore the youth's feelings and help him/her move toward resolution. When possible, develop methods for the youth to maintain the history and feelings of connection with his/her birth family.
- The youth does not want to change his/her name. Tell the youth that he/she is not required to change his/her name.
- The youth does not want to move and lose relationships again; he/she does not want to be at "risk" again. Reassure the youth that adoption is a carefully planned decision and that movement is to a forever family.

- The youth believes that he/she is able to live independently, especially if he/she is close to age eighteen (18). Youths age fifteen (15) and older have an active Youth Plan for Independent Living. (See *Section 11600: Preparing for the Youth Plan for IL.*) Discuss with the youth his/her current Youth Plan for Independent Living and how it fits with adoption. The youth support worker may be invited to this discussion.
- The youth does not believe that anyone would want him/her or that an adoptive family would only want an older youth in order to do work. Explain to the youth that the potential adoptive family knows about him/her and wants to know more about how he/she feels and what he/she needs.
- The youth fears that DFS will look but not find a family. Share with the child that families have been located for other children through the use of various media, recruitment events, and activities and that his/her participation in recruitment not only helps him/her, but also all children waiting to be adopted.

d. Additional Supports for Youth Decision Making

The permanency case manager should consider referring the youth to a support group with peers, because support groups are effective in preparing youths for adoption. Youths who have been adopted assist in the discussions regarding fears, benefits, and how adoption can make a difference in his/her life with the youth considering adoption.

If a youth is resistant to adoption, the permanency case manager **must** refer the youth for counseling. The purpose of the counseling is to help the youth better understand and sort through the reasons for his/her refusal. The permanency case manager and adoption social worker can continue recruitment efforts, and if a home is found, present the possibility to the youth. Sometimes, if there is an adoptive home waiting, the youth can reconsider his/her refusal. Use of a Child and Family Team to help the youth explore a future with a potential adoptive resource may ease this decision.

e. Youth Decides Not to Consent to Adoption

If child still refuses the plan of adoption after child preparation, counseling, and support group participation, noninvasive adoption recruitment efforts should continue. When a potential adoptive resource is identified, the caseworker should revisit the discussion of adoption. Many children agree to the plan of adoption when a specific family is interested.

If, despite all efforts by the permanency case manager and adoption social worker, the youth continues to refuse adoption, an alternative permanent plan, such as OPPLA, may be considered. There must be compelling reasons for recommending OPPLA, and this decision must be approved by the court. At the next CFT meeting, the *Compelling Reasons Worksheet* must be completed to document the compelling reasons and present them to the court. The permanency case manager

must develop the documentation that explains the compelling reasons to the court and bring the case before the court. This plan can be changed should the youth change his/her mind and be willing to consider adoption.

6540. Informing the Child About the Selected Adoptive Family

Once the potential adoptive resource has been identified, has been selected, and has agreed to adopt, the adoption social worker will specifically prepare the child for adoption by the identified family. Planning for the completion of adoption is conducted in the Child and Family Preparation/Placement Transition CFT meeting.

- If the child is going to be adopted by the current caregiver (related or non-related), the permanency case manager informs the child in a face-to-face meeting about the planned change regarding the current caregiver becoming the adoptive resource.
- If the child is entering a home that is new to him/her, the adoption social worker informs the child in person and provides information and answers questions about the adoptive family with him/her in a manner that is appropriate to his/her age and developmental level.

Within five (5) days of informing the child about the potential adoptive family, the adoption social worker will schedule a introductory visit of the child and family in a location that is comfortable for the child. The adoption social worker tells the child and caregiver, preferably in person, when, where, and how long the visit will be. The CFT meeting for Child and Family Preparation/Placement Transition will develop plans for regular pre-placement visits and/or regular home visits by the adoption social worker until finalization.

6600. Selection and Preparation of Adoptive Family

The selection and preparation of an adoptive family is an ongoing task of the permanency case manager and adoption social worker assigned to the child. From the time of the initial placement, the permanency case manager works with the current caregiver(s) to keep him/her aware of the child's need for permanency. Once the child is available for adoption, the following steps must be followed to obtain an adoptive family for the child:

Tasks	Staff Responsible
Conduct reasonable search for adoptive resource.	• Permanency case manager.
Schedule adoptive resource CFT meeting for all interested parties.	• Permanency case manager.

Tasks	Staff Responsible
Identify and select adoptive resource at CFT meeting.	<ul style="list-style-type: none">• Permanency case manager.• Adoption social worker.• Adoption recruiter.
Refer child to the recruitment unit if current caregiver is not selected.	<ul style="list-style-type: none">• Permanency case manager.
Request an <i>Order Permitting Recruitment</i> from the court if child is not legally free.	<ul style="list-style-type: none">• Permanency case manager.
Facilitate adoption process.	<ul style="list-style-type: none">• Adoption social worker.

6610. Reasonable Search for Adoptive Resources

The permanency case manager, with the assistance of the adoption social worker and/or adoption recruiter, must perform a reasonable search for an adoptive home that could provide for the child without subsidy. This search may include the use of case mining by the adoption social worker or adoption recruiter, adoption exchanges, referral to appropriate specialized adoption agencies, and other such activities.

The only exception to this requirement to search for an adoptive home that could provide for the child without subsidy is when it would not be in the best interest of the child because there are significant emotional ties with prospective adoptive parents (related or non-related) who have cared for the foster child.

The adoption social worker must ask the potential adoptive family if it can adopt the child without a subsidy; if the family states that it cannot adopt without an adoption subsidy, the requirement in Title IV-E 473 (c)(2)(B) of the Social Security Act for a reasonable, but unsuccessful, effort to place the child without providing an adoption subsidy will be met. This needs to be documented in UNITY.

Documentation

6620. Adoptive Resource Child and Family Team Meeting

At each of the child's CFT meetings, the team considers all potential adoptive resources as part of concurrent planning. After a case review and approval of the supervisor, the permanency case manager will convene an special adoptive resource CFT meeting within four (4) weeks of the changed goal and assignment of the adoption worker. The purpose of this meeting is to identify and select a potential adoptive resource or to make a referral for recruitment. *NOTE: This may be the same CFT meeting that examines a child's readiness for adoption (see Section 6510: Assess Child's Readiness for Adoption) or a separate CFT meeting.*

- The CFT identifies the caregiving skills that an adoptive resource should possess to meet the needs of the child.
- The purpose of the adoptive resource CFT meeting is to identify a preferred potential adoptive resource.
- The CFT members will particularly assess the child's attachment to the current caregiver, relatives, and former caregivers as alternative potential adoptive resources. This discussion will also identify potential long-term visitation and contact with family members.
- The adoption social worker will facilitate a discussion of whether the current caregiver, related or non-related, is interested in making a permanent commitment to this child.
 - » If the current caregiver does not wish to adopt, the adoption social worker will gather information from the current caregiver on the strengths and needs of the child, the child's connections with family members, and experiences with the child, including any special approaches that have helped the child face challenges.
 - » If the current caregiver does not wish to adopt, the permanency case manager will ask the adoption social worker to assist in case mining to identify other potential adoptive resources. If a qualified relative steps forward **and** this selection is confirmed in a HART meeting, adoption planning and preparation proceeds.
 - » If the current caregiver does not wish to adopt and the case mining does not identify another potential adoptive family, the permanency case manager will refer the child to the recruitment unit for a general search among licensed foster/adopt homes **and/or** child-specific recruitment.
- If the current caregiver wishes to adopt and can meet the criteria needed to care for this child, the adoption social worker will schedule an appointment to assess the family and confirm the selection at the next regularly scheduled CFT meeting.

Documentation

6630. Selection of Current Caregiver

To minimize loss and to preserve the child's relationships and stability, the current caregiver – related or unrelated – should be given consideration for adoptive placement. If the current caregiver is willing to adopt, the Department **must** evaluate the family and home to confirm that this is the best selection. The selection process provides an opportunity to review a child's strengths/needs and the potential caregiver's strengths and ability to care for the child now and in the future.

Tasks	Staff Responsible
Mine the case to identify all potential adoptive resources for consideration.	<ul style="list-style-type: none">• Adoption social worker.• Permanency case manager.
Assess the current caregiver and his/her abilities and willingness to make a permanent commitment to the child.	<ul style="list-style-type: none">• Permanency case manager.• Adoption social worker.
Educate the adoptive resource about his/her role and the legal responsibilities of adoption.	<ul style="list-style-type: none">• Adoption social worker.
Assess the current caregiver's understanding of the adoption process and licensing requirements, as well as his/her knowledge of the differences between adoption and temporary care.	<ul style="list-style-type: none">• Adoption social worker.
Educate the family about the adoption subsidy application process.	<ul style="list-style-type: none">• Adoption social worker.
Confirm selection of the adoptive resource in the CFT or HART meeting.	<ul style="list-style-type: none">• CFT members• HART.

a. Assess Knowledge and Interest of Current Caregiver

The adoption social worker must assist the permanency case manager in completing an assessment of the child's current caregiver and his/her willingness and capacity to provide a permanent commitment to the child. This in-person interview **must** include an assessment of:

- The caregiver's knowledge and understanding of adoption.
- The caregiver's interest and willingness to consider adoption of the particular child and his/her level of commitment to that child.

- The caregiver's history in providing care to this child and his/her capacity to meet the child's long-term needs.
- The impacts on other children in the home.
- The current licensing status of the caregiver and willingness to complete licensure and documentation for adoption approval if he/she is currently an unlicensed relative caregiver.
- The caregiver's ability to support the child in the transition to an alternative potential adoptive placement, if needed.

Documentation

The adoption social worker presents results of this interview and other materials are provided at the next regularly scheduled CFT meeting. At this meeting, the CFT will:

- Review all actions taken to date to identify a potential adoptive resource.
- Review information of all potential adoptive parents identified through case mining.
- Review all current information on the strengths and needs of the child as presented by the permanency case manager, adoption social worker, and any members of the child's CFT who are present.
- Confirm the selection or recommend a referral to the recruitment unit.

b. Provide Adoption Information to Current Caregiver

Prior to the CFT meeting, the adoption social worker will call or meet with the current caregiver to provide general information on adoption and answer any questions. If there is some question that the current caregiver will not be selected at the CFT meeting, meeting with the current caregiver may occur after the CFT.

The differences between adoption and forming a family by birth or fostering are significant. The caregiver may need help:

- Understanding the importance of the child's attachments to birth family members and the impact of loss on the child's behavior and adjustment. Even for the child who has been abandoned or who has not had recent contact with the birth family, the discussion of TPR and adoption may trigger the child's sense of loss, and he/she may need to be given the opportunity to grieve his/her loss again.
- Understanding that the change from foster care to adoption affects family roles. The caregiver may need information and help to manage these role changes.

- Realizing that adoption confers additional legal rights and responsibilities. These legal, financial, and emotional responsibilities must be fully explained. The caregiver's ability to assume these responsibilities may, in part, be dependent on his/her understanding of adoption as a lifelong process and the support available to him/her through subsidies and post-adoption services.
- Actions are documented in UNITY case notes.

c. Selection and Notice to Current Caregiver

The adoption social worker will contact the selected family by telephone within one (1) business days of the CFT meeting. At that time, the adoption social worker will schedule an initial meeting to complete caregiver preparation and adoption planning.

In these meetings, the adoption social worker will:

- Confirm the family's agreement to adopt. (See *Section 6800: Obtaining Family Agreement to Adopt.*)
- Complete transition tasks. (See *Section 6910: Transition Planning CFT.*)
- Assist the family with adoption subsidy application. (See *Section 61000: Adoption Subsidy.*)

Documentation

d. Selection of Alternative Adoptive Resource

If the current caregiver is **not** selected at the CFT meeting, the permanency case manager will make a referral to the recruitment unit to request either:

- Confirmation of an alternative recommendation of the CFT (e.g., relative, former foster family).
- Identification and selection of an alternative adoptive resource.

These selections must be confirmed in a HART meeting.

6700. HART: Confirming or Selecting an Adoptive Resource

6710. Purpose

The HART is convened to provide an unbiased method to:

- Review all actions taken to date to identify a potential adoptive resource.
- Review information in the home studies of potential adoptive parents, whether identified by the site-based team or through child-specific recruitment.
- Review all current information on the strengths and needs of the child as presented by the permanency case manager, adoption social worker, and any members of the child's CFT who are present.
- Confirm the CFT recommendation of an adoptive resource that is not the current caregiver **or** identify and select an alternative adoptive resource.

The purpose of HART is to confirm that the selection of the potential adoptive resource is the best option among all resources and is in the best interest of the child. The tasks at the HART meeting are:

Task	Staff Responsible
Set appointment for a HART meeting.	• Adoption recruiter.
Determine calendar and notify HART members.	• Recruitment office specialist.
Duplicate and distribute documents to HART members.	• Recruitment office specialist.
Send <i>Home Study(ies)</i> to permanency case manager.	• Recruitment office specialist.
Facilitate HART meeting.	• Supervisor of recruitment.
Present the child and his/her strengths and needs.	• CFT members and other interested parties.
Review and prioritize placement options.	• HART members.
Maintain record of HART meeting.	• Supervisor of adoption recruitment.

Task	Staff Responsible
Document outcome of HART meeting in case notes in UNITY.	<ul style="list-style-type: none">Adoption recruiter.
Collect copies of <i>Home Study(ies)</i> for destruction.	<ul style="list-style-type: none">Supervisor of adoption recruitment.
Notify the families of the HART meeting results.	<ul style="list-style-type: none">Adoption recruiter.
Initiate scheduling of the presentation meeting.	<ul style="list-style-type: none">Adoption recruiter.
Attend the presentation/transition meeting.	<ul style="list-style-type: none">Adoption social worker.Permanency case manager.Adoption recruiter.Others recommended by the CFT.

6720. HART Membership

HART is convened and facilitated by the supervisor of recruitment and is composed of:

- An adoption supervisor.
- The supervisor of the recruitment unit.
- A child welfare services or administrative services assistant manager.
- A family clinical services staff.
- Staff from the Court Appointed Special Advocate (CASA) program.
- Direct services staff working with the child required to attend are:
 - » The adoption recruiter assigned to the case.
 - » The permanency case manager assigned to the case (optional for his/her supervisor to attend).
 - » The adoption social worker assigned to the permanency team.

The permanency case manager may invite other individuals to attend the meeting and to provide information. These may include:

- The caregiver(s).
- Wraparound In Nevada for Children and Families (WIN) or children's clinical services workers.
- CASA volunteers.

- Children's Attorney Project (CAP) attorneys.
- Treatment home staff (if involved).
- Any other individuals who have worked closely with the child (e.g., other service providers).

These invited individuals are excused from the meeting after their presentations and will **not** be present for the review of the home studies and the selection of an adoptive resource.

6730. HART Meeting Process

a. Preparation and Scheduling

- The adoption recruiter identifies the need for a HART meeting and submits the prescreened and/or approved *Home Study(ies)* and the *Social Summary* to the office specialist for duplication and distribution to HART members.
- The recruitment office specialist schedules the requested HART review for the next regular meeting, or may schedule an earlier, special HART meeting, and sends an invitation via e-mail to participants. If a HART member is unable to attend a special meeting, the HART member arranges for a replacement and notifies the office specialist. This replacement will have the same role as the original HART member. The recruitment office specialist distributes the *Home Study(ies)*.

b. Meeting Content

- The facilitator takes meeting minutes and retains the original documentation of the meeting.
- The permanency case manager and adoption social worker may present a potential adoptive family selected by the CFT as an alternative to the current caregiver. This presentation will include the complete results of the case mining to identify the interest and capabilities of relatives, former foster parents, or others. This presentation will also include the completed *Prospective Adoptive Family Pre-Selection Interview* form.
- The permanency case manager presents the current status of the home, the school, therapy, and other issues, as well as ongoing needs of the child. The information contained in the *Social Summary* is reviewed. The permanency case manager and CFT members will also be asked to provide input regarding the characteristics that an adoptive family should possess to meet the needs of this child.
- The next step in this meeting is the review of the *Home Study(ies)*. Any CFT members who have attended the HART meeting will be excused from this discussion, except for the permanency case manager, the permanency case manager's supervisor, the assigned adop-

tion social worker, and *the adoption recruiter* assigned to the child. The *Home Study(ies)* is reviewed to identify the family's abilities to meet the child's caregiving needs, respond to the family's strengths, help the child fit comfortably in the current family dynamic, and rank the families in order of preference, if there is more than one family.

- HART will also recommend a plan to assist in formalizing the transition, which is called the *Adoption Program Plan* form. The permanency case manager and adoption social worker will schedule a CFT meeting to begin preparing the child and family and implementing a transition.
- The facilitator will collect all copies of the *Home Study(ies)* and *Prospective Adoptive Family Pre-Selection Interview* form and destroy them. The facilitator will retain the original copies in the recruitment unit files.

Documentation

c. Notification of Results and Scheduling

- Recruitment will contact the selected family by telephone within one (1) business days of the meeting. At that time, the adoption recruiter will schedule a presentation meeting within fourteen (14) calendar days.
 - » If the selected family is out of state, the adoption recruiter must contact the agency that released the family's *Home Study* within twenty-four (24) hours to make a plan for the presentation. The documents will be mailed to the family so that they have time to review them before the telephone presentation meeting.
- Families who are not selected will be notified by telephone and mail within thirty (30) days. This allows time for DFS and the selected potential adoptive resource to make a decision to proceed. If the selected family does not make a commitment to adopt by the end of thirty (30) days, the next family may be contacted to explore adoption.

6800. Obtaining Family Agreement to Adopt

The CFT meeting approves the selection of the current caregiver or the HART meeting approves the selection of an alternative potential adoptive resource. The next step is gaining the agreement of the potential adoptive family and preparing it for adoption. This is a three (3) -step process:

- Providing information on the child to the potential adoptive resource at the presentation meeting.

- Providing tools to the potential adoptive resource so that he/she may make further inquiries and an informed choice, including information about the availability of adoption subsidy options.
- Obtaining formal agreement and scheduling a CFT meeting to develop a transition plan with the family.

Documentation

6810. Presentation Meeting

Within two (2) business days of the confirmation of either the CFT selection of the current caregiver or the selection of an alternative adoptive family at the HART meeting, DFS staff will schedule a presentation meeting with the adoptive resource. The purpose of this meeting is to present information on the child and to discuss caregiving needs and resources so that the selected family may make an informed choice.

a. Presentation Meeting – CFT-Selected Family

At the Adoption Resource CFT meeting, the current caregiver or an alternative resource known to the child may be selected. The adoption social worker will schedule the formal presentation meeting within two (2) days of selection. The permanency case manager must be invited to the presentation meeting, but is not required to attend. A formal presentation meeting must be held when:

- The resource selected at the Adoption Resource CFT meeting is not licensed.
- The identified resource has limited information about the child's special needs (e.g., the resource knows that the child was exposed to alcohol during pregnancy but does not know the specifics effect this has had on the child).
- The identified resource did not select the child but was selected by the CFT as a possible match for the child (i.e., a relative or former foster family caregiver).

At the presentation meeting, the adoption social worker will share the *Social Summary* and discuss with the caregiver:

- All information that was developed at the CFT meeting regarding what the child's caregiving needs are.
- Information on any identified mental health, medical, or educational needs and the arrangement of services.

- Details on any special conditions of the adoption (e.g., open adoption agreement, sibling visitation requirements).

At the end of the presentation meeting, the adoption social worker will confirm whether the family is willing to continue in the adoption planning process for finalization. If the family is unsure, the adoption social worker will explore any additional questions that the family presents and schedule a follow-up meeting within one (1) week.

b. Presentation Meeting – HART-Selected Family

- Within two (2) days of the HART selection process, the recruiter will: (1) notify the family of its selection, (2) orient the family with the family preparation packet, and (3) schedule a presentation meeting. The adoption recruiter schedules and convenes this meeting.
- At the meeting, the potential adoptive resource meets key DFS staff and receives information necessary to make a decision.
 - » The recruiter introduces the family, the permanency case manager, and the adoption social worker.
 - » The permanency case manager provides detailed information about the child and provides a copy of the *Social Summary* and all attachments and updates. (*NOTE: All identifying information on the birth family must be removed from this copy.*)
 - » The adoption social worker provides information on the adoption process and provides *Questions for Prospective Adoptive Parents to Ask Prior to Accepting Placement* and information on adoption subsidy options. *NOTE: At the presentation meeting, the family will sign an acknowledgement that it has received the adoption subsidy information.*

During the meeting, the adoption social worker and/or permanency case manager present **must** share the background information on the child, including:

- Information about birth family members and other significant people in the child's life and their continuing relationships with the child, including any necessary provisions for visitation/contact with family members, especially siblings.
- Personality traits, strengths, and interests.
- Daily caregiving requirements, including supervision requirements and the child's routine daily activities and interactions with caregivers and other family members living in the home.
- Levels of development in school and of social functioning.

- Assessment of the child's current special needs and services, including methods of teaching and discipline that are effective with the child.
- The child's potential eligibility for adoption subsidy and the process for negotiating a subsidy.
- Readiness of the child for adoption.
- Potential adjustment problems in the transition from foster care to an adoptive home.
- Any other questions raised by the potential adoptive family that not covered in the presentation.

At the end of the meeting, the adoption social worker will encourage the potential adoptive parent(s) to discuss his/her thinking, feelings, and reactions to the information shared about the child. In addition, the adoption social worker will encourage the potential adoptive parent(s) to speak with current caregivers and treatment, medical, and educational providers and facilitate introductions so that the family may obtain answers to any of its questions.

The adoption social worker must offer the family time to consider its decision, but limit it to thirty (30) days after the HART meeting. During this time, the adoption social worker is available in person and by telephone to guide and assist the potential adoptive parent(s) in making this decision.

6820. Potential Adoptive Family Makes Decision

a. Family Declines Adoption

(i) CFT-Selected Family

If the family identified by the child's CFT (e.g., current or former caregiver, relative) elects not to move forward with adoption, the assigned adoption social worker will make a referral to the recruitment unit so that the recruitment unit can begin the process of identifying an alternative family resource. The reason(s) that the family has declined the adoption is recorded in a UNITY case note and included in the recruitment referral.

Documentation

(ii) HART-Selected Family

If the selected family decides not to adopt, the next family ranked by HART that meets the child's needs is selected, and the process begins again. If there was no other family ranked by HART to meet the needs of this child, the recruitment process continues.

In addition, the adoption recruiter will follow up with the family that has declined adoption to determine the reason(s) for the decision. The reason(s) that the family has declined the adoption will be documented in a UNITY case note to assist the adoption recruiter in understanding whether there are facts about the child that were previously unknown and/or to better understand the potential adoptive family. The follow-up discussion with the family may include additional education of the potential adoptive family regarding the rights and responsibilities of adoption.

Documentation

b. Family Chooses to Adopt

If the family decides to adopt, within seven (7) days the adoption social worker will contact the permanency case manager to schedule a Transition Planning CFT meeting with the potential family adoptive resource. The adoption social worker will explain the purpose and content of the meeting.

At this time, the adoption social worker will revisit the *Questions for Prospective Adoptive Parents to Ask Prior to Accepting Placement* and ask the family if it has had additional questions, comments or concerns since the presentation meeting so that they may be discussed in the Transition Planning CFT meeting.

Documentation

6900. Preparation of the Selected Adoptive Resource

When the adoptive resource has been selected, been informed of the selection, and made the decision to proceed with the adoption, the permanency case manager schedules the Transition Planning CFT meeting.

Tasks	Staff Responsible
Schedule the Transition Planning CFT meeting.	<ul style="list-style-type: none">• Permanency case manager.
Assist the child and family to meet in a neutral place (for new placement only).	<ul style="list-style-type: none">• Permanency case manager.• Adoption social manager.
Conduct pre-placement visits with the child to the adoptive home. Evaluate visits and determine a date for placement (for new placement only).	<ul style="list-style-type: none">• Permanency case manager.• Adoption social worker.
Complete the <i>Placement Request and Disclosure Form</i> and submit it to the Placement Team no later than the day of the placement change.	<ul style="list-style-type: none">• Permanency case manager.

Tasks	Staff Responsible
Provide the adoptive family with all required placement documents on the date of placement (for new placement only).	<ul style="list-style-type: none">• Permanency case manager.
Visit the child weekly in the adoptive home for the first month of placement and then monthly until the adoption is finalized (for all local families, including current caregivers.)	<ul style="list-style-type: none">• Adoption social worker• Permanency case manager
Assess the adjustment of the child and family and modify preparation plans as needed before finalization of the adoption (for all local families, including current caregivers).	<ul style="list-style-type: none">• Adoption social worker and permanency case manager.

6910. Transition Planning CFT

The permanency case manager must schedule the CFT meeting to develop the transition plan within seven (7) days of the family's agreement to adopt. This meeting maps out in detail who will complete the tasks required to finalize the adoption. At this CFT meeting, the team develops a Child and Family Preparation plan for **all** adoptions. In addition, when the adoption requires a placement movement, the team will develop a specific Placement Transition plan.

- For families that are adopting a child currently in their care, this plan involves continuing monitoring of the adjustment of the child and family to adoption and completing the administrative and legal processes required to finalize the adoption and determine a subsidy.
- For families who are adopting a child who will be new to their home, this plan involves the movement of the child, the evaluation of the adjustment of the child and family to each other, and the administrative and legal processes required to finalize the adoption and determine a subsidy.
- At this CFT meeting, the adoptive family signs the *Adoptive Parent Agreement* form with the adoption social worker.

Documentation

6920. Family Training

The adoption social worker will work with the family to prepare it to adopt the particular child based on the transition plan developed in the Transition Planning CFT meeting. The transition plan takes into account the existing knowledge and skills of the potential adoptive home.

- Licensed foster families will have completed MAPP or relative caregiver training to prepare them for adoption. They will have a good understanding of the issues for themselves, the family, and the child who has been in their care and/or is joining the family.
- Licensed foster families who have been selected through the HART process will have received specific information on the child who will be placed in their home for adoption.
- Relative caregivers (licensed or unlicensed) will know the child and have an important connection to him/her. Unlicensed relative caregivers who elect to adopt **must** complete the licensing process.

The primary preparation of the potential adoptive family consists of training and child-specific activities.

a. Training of Individuals and Families Considering Adoption

(i) Preparatory Training

MAPP is the formal group training model adopted by DFS to prepare foster families and foster/adopt families for licensure and placement. Once a child is identified, the adoption social worker will assist the family in acquiring additional training, if needed.

Tasks	Staff Responsible
Provide MAPP training and coordinate team training model.	<ul style="list-style-type: none"> • DFS licensing unit.
Evaluate the need for further training based on the child's strengths and needs.	<ul style="list-style-type: none"> • Potential adoptive parent(s). • Permanency case manager. • Adoption social worker. • Adoption recruiter.
Assist adoptive parent(s) in his/her search for appropriate services and/or training.	<ul style="list-style-type: none"> • Adoption social worker. • Adoption recruiter.
Provide individual education on adoption-related topics like adoption subsidy.	<ul style="list-style-type: none"> • Adoption social worker. • Training unit.

MAPP training is available to all DFS providers of foster care. MAPP training is required for licensing and covers the following key topics related to adoption:

- Adoption as a different way to form a family.
- Separation and loss.

- Attachment.
- Meeting the child's current and future needs.
- Making a lifelong commitment through adoption.

Through the completion of formal training and the family's *Home Study*, certain areas for additional information or training may be identified.

(ii) Continuing Training and Individual Instruction

The DFS training unit routinely conducts trainee satisfaction surveys and training needs assessments. This information, along with other data that is collected, will guide the training strategy for foster families and foster/adopt families. New training topics may be delivered at workshops and classes, at presentations at foster parent events, and as individual instruction. Participation in these training events may be applied to the relicensing requirement. Any identified training needs and efforts to locate a training resource will be documented by the adoption social worker in UNITY case notes.

If DFS does not offer instruction on a topic that is needed by a potential adoptive parent, the adoption social worker will contact the training unit to locate a training resource or identify a DFS staff member who can provide individual technical assistance and information.

Documentation

6930. Placement Transition and Movement

When the child is moving to new pre-adoptive placement, the Transition Planning CFT will develop a specific Placement Transition plan based on the needs of the child. This plan includes provisions for structured visitation, ongoing evaluation of child and family progress, and the formal placement change.

a. Structured Visitation

Pre-placement visits between the child and the potential pre-adoptive placement are required. In developing the transition plan, the CFT will consider the age, development, and needs of the child to establish the ideal pattern and number of visits. In general, it is recommended that:

- The first meeting of the child and family occur at the child's current placement (e.g., foster home, residential facility, hospital) or wherever the child is most comfortable.
- The first few visits are for brief periods of time (e.g., two [2] to four [4] hours) and increase in duration as the child becomes more comfortable.

- Visits for younger children occur more frequently to build familiarity.
- Overnight or weekend visits are scheduled only when the child is ready and never as a first meeting prior to actual placement.
- Several overnight visits, scheduled over a period of time, are completed before a placement change.
- Extended visits of up to thirty (30) days may be planned for children with special needs.

During the visitation period, the adoption social worker will schedule, monitor, and follow up on all visits to assist the child and family and to monitor progress.

b. Transition Plan Monitoring

The adoption social worker contacts the child and family after each visit to discuss their adjustment and any needs or concerns. The adoption social worker will alert CFT team members if either the child or the family requires additional support. However, the CFT transition plan for visitation may not be modified without team input and agreement.

Based on conversations with the child, current caregiver, and pre-adoptive family, the adoption social worker may seek the assistance of other team members to offer additional supports for visitation. This may include the recruiter assisting with family adjustment or service needs, the current caregiver or permanency case manager assisting with the child's adjustment or service needs, or a clinician helping address and resolve family or child barriers to moving forward. These interventions may be initiated with the approval of the adoption and permanency supervisors and recorded in case notes for discussion at the next regularly scheduled CFT meeting.

Progress in adjustment of the child and family are discussed at regularly scheduled CFT meetings. If the team decides that it is not in the best interest of the child to proceed, the CFT will end the Placement Transition process and agree on notifications to the family and child. If the family decides to withdraw from the transition process, the adoption social worker will convene a CFT meeting that includes the recruiter to end the Placement Transition process, notify the child, and begin the process to select an alternative adoptive resource.

c. Pre-Adoptive Placement

When the visitations have proceeded well and all parties agree to proceed, the permanency case manager and adoption social worker will determine the date for the planned movement of the child. *NOTE:* The child must reside with the potential adoptive family for six (6) months prior to adoption finalization.

- The permanency case manager will complete the *Placement Request and Disclosure (PRD) Form* for a change in status and/or a change in placement and e-mail this form as an attachment to the Placement Team for entry into UNITY.
- The permanency case manager will provide the adoptive family with the following on the day of placement change in status/movement:
 - » Placement letter.
 - » Travel letter.
 - » Medical card.
 - » *Adoptive Parent Agreement* form.

The adoption social worker makes weekly home visits all pre-adoptive placements for the first thirty (30) days and makes monthly home visits thereafter until finalization. The purpose of these face-to face contacts is to: (1) assure the child's safety, care, and well-being, (2) assist the family in completing the family preparation plan (including administrative and legal actions required to complete the adoption), and (3) identify and respond to any specific child and family needs to assure stability.

Documentation

(i) Supporting Child and Family Safety, Stability, and Well-Being

At each home visit, the adoption social worker will interview the child and family to gather current information on the safety, permanence, and well-being of the child. Through observation and interviews with the parents and child, the adoption social worker will assess the following:

The Child	The Family
<ul style="list-style-type: none"> • General health, eating, and sleeping habits. • Specific health problems or conditions, including information on any prescribed medications and their effects. • Behavior/emotional status, including whether or not the child is seeing a therapist or physician, including information on any prescribed medications and their effects. • Developmental status and milestones. • School progress, grades, and behavior in school. • Allowances, chores, and household responsibilities. • General acceptance and bonding with the family. • Corroborate information in a private interview with the child. 	<ul style="list-style-type: none"> • Home, including sleeping arrangements, clothing, food, and nutrition. • Caregiving arrangements (e.g., how often each parent cares for the child, alternative caregiving arrangements in the absence of the parents). • Discipline practices. • Inclusion of the child in religious practices, community groups, and extended family events. • Ability to address the child's cultural needs. • General acceptance and bonding with the child. • Any concerns about the child. • Explore family service needs in a private interview with the family.
<ul style="list-style-type: none"> • Does he/she feel accepted? • If there are other children in the home, is everyone treated fairly? • What type of discipline is being used, and does the child think it is fair? • How is school going? • What kind of family outings does the child participate in, and what type of fun activities does he/she get to do? • What level of freedom does the child have? • What are the child's feelings about its sleeping arrangements, food, chores and other daily living arrangements? • Does the child express any concerns about his/her new family? 	<ul style="list-style-type: none"> • What are the child's strengths/weaknesses? • What supports does the family currently have in place for the child? • What resources does the family need? • What help does the family need with sibling visits? • Does the family need respite or other supports for itself?

After each home visit, the adoption social worker updates the case file and mobilizes any needed supports for the child and/or family in consultation with other CFT members.

(ii) Completing Adoption Tasks During Home Visits

During the course of the pre-adoptive placement, the adoption social worker will assist the family in completing all of the legal and administrative requirements for adoption finalization. This can be done during regularly scheduled home visits to reduce time burdens on the family or at other scheduled times. The adoption social worker will:

- Ensure the family has received all placement documents upon placement.
- Educate the family regarding the adoption subsidy.
- Provide the subsidy application to the adoptive resource.
- Meet with the family to complete the subsidy negotiation.
- Review subsidy agreements with adoptive parents and obtain signatures.
- Advise the family to retain an attorney to complete the legal paperwork for the adoption finalization.
- Assist family in completing the *Report of Adoption*.
- Provide the adoptive family's attorney with any *Post-Adoption Contracts* or sibling *Visitation Orders*.
- Obtain a revised birth certificate and provide it to the adoptive family after finalization.

Simultaneously, the adoption social worker will assist the potential adoptive family in completing the adoption subsidy process.

61000. Adoption Subsidy

The Department administers several sources of federal, state, and local funds that are available to provide assistance to families who adopt children with special needs. The State of Nevada defines a child with special needs as "a child for whom placement with an adoptive parent is made more difficult because of the child's age, race, or number of siblings **and/or** because the child suffers from a severe or chronic medical, physical, mental, or emotional condition."

The child **may** be eligible for:

- Onetime assistance up to \$250 for the costs associated with finalizing the adoption. This assistance is paid directly to the adoptive parent(s) after finalization.
- Financial support through the payment of a monthly adoption subsidy paid to the adoptive parent(s) who adopts a child. The adoption subsidy is negotiated prior to finalization and redetermined annually.

- Medical assistance by providing Medicaid eligibility determination for the adoptive child or helping with the cost of adding the child to the adoptive family's health insurance.
- Deferred-assistance agreement, which allows the adoptive parent to apply for an adoption subsidy when (1) there is not a need for treatment at the time of the adoption but the child is at risk for developing medical or other conditions requiring treatment, or (2) the family is currently able to meet the needs of the child at the time of adoption but may, in the future, have a change in circumstances that requires an adoption subsidy.

Children for whom DFS is responsible – whether they are in the custody of a licensed child placing agency or in a DFS-managed relative or foster family home – are eligible for an adoption subsidy if they meet the special needs criteria established by the state and federal government.

In addition to providing this direct financial assistance, the DFS adoption social worker may assist the adoptive parent(s) in obtaining other health, educational, or social services from public or private social service agencies that the child may be eligible to receive.

These and other post-adoptive services support the long-term stability of the child with his/her adoptive family.

Documentation

61010. Criteria for Identifying the Special Needs of the Child

The adoption social worker will assist the permanency case manager in identifying and documenting the special needs eligibility of the child. The criteria for establishing that a child has special needs are contained in the child's case record. The adoption social worker and case manager will review the case and explore:

- Historic and current *conditions* that have been proven to make it difficult to find an adoptive placement
- Current *treatment/service needs* of the child for medical, physical, mental, developmental, or emotional/behavioral issues.
- Documented conditions that place a child *at risk of future problems* (e.g., heritable problems, prenatal drug exposure).

Documentation

The child must meet all criteria for adoption subsidy.

- Child cannot or should not be returned to the parental home, **and**
 - Child must be legally free by termination of parental rights, voluntary relinquishment, or the death of a parent(s).
 - Child has not yet reached the age of eighteen (18), **and**
 - Child is in the custody of DFS or with a licensed child placement agency within Clark County.
- (NOTE: The custody criteria does not apply to reimbursement of onetime costs for adoption.)

The child has a condition or specific factor requiring a subsidy.

- Child is difficult to place because of race, **and**
- Child is five (5) years of age or older, **or**
- Child is a member of a sibling group of two (2) or more children to be placed together and at least one of the children is three (3) years of age or older, **and**
- Child has diagnosed medical, physical, developmental, or mental challenges or a documented history of abuse/neglect that requires ongoing treatment intervention, **or**
- Child has documented historic factors in his/her background that place him/her at high risk for future problems. These factors include: being genetically related to persons having heritable physical, mental, emotional, or behavioral challenges; prenatal exposure to alcohol or other drugs; and other factors identified by a treatment professional that will result in the child's need for treatment or special services.

61020. Teaming for Adoption Subsidy

The administration and approval of any form of financial assistance to the adoptive family of a child with special needs is highly technical and heavily regulated by both the federal and state child welfare authorities. All DFS staff are required to adhere to laws and policies that were in effect at the time the adoption was finalized. These procedures reflect current law and policy.

In addition, each child presents a profile of factors that must be evaluated against the established criteria for a child with special needs. Together, all of these factors (described above) determine the type of assistance, the amount of the subsidy, and the funding source. (See *Section 61010: Criteria for Identifying the Special Needs of the Child.*)

Documentation

The roles of DFS staff in gathering the information needed to make this decision are as follows:

Task	Staff Responsible
Document a thorough search by the permanency case manager and adoption social worker or the	<ul style="list-style-type: none"> • HART meeting.

Task	Staff Responsible
recruitment unit for an adoptive family that meets the best interest of the child.	<ul style="list-style-type: none">• Adoptive resource CFT.
Ensure that all potential adoptive families are advised in writing of all adoption subsidy options.	<ul style="list-style-type: none">• Adoption social worker.
Negotiate the amount and type of adoption subsidy with the adoptive family.	<ul style="list-style-type: none">• Adoption social worker.• Adoption supervisor.
Determine the form of application and source of funding for the adoption subsidy.	<ul style="list-style-type: none">• Eligibility specialist.
Approve the adoption subsidy.	<ul style="list-style-type: none">• Eligibility specialist.• Adoption subsidy specialist.• DFS administrator or designee.

61030. Reimbursement of Nonrecurring Adoption Expenses

The Department may pay certain nonrecurring expenses for the adoption of each child with special needs. Allowable costs include attorney fees, court costs, fingerprinting, home studies, supervision fees, travel costs, and revised birth certificates. To be eligible for reimbursement of these nonrecurring expenses, the Department requires an application, verification of special needs, and documentation of expenses. The application for reimbursement must be completed **prior** to the adoption finalization. The maximum reimbursable amount for a nonrecurring expense per adoption event is \$250.

a. Application

The adoption social worker provides the *Nonrecurring Subsidized Adoption Agreement* to the family as part of adoption preparation or upon request for private adoptions in which the child meets the state and federal requirements for special needs adoption.

The family completes this form and returns it to the adoption social worker, along with documentation of any allowable expenses that have already been incurred.

The adoption social worker provides the *Nonrecurring Subsidized Adoption Agreement* to the adoption subsidy specialist. If this agreement was not previously submitted, the adoption social worker must also attach verification of nonrecurring expenses already paid.

Once the application is approved, a copy of the approval is sent by the adoption subsidy specialist to the adoption social worker.

Documentation

b. Payment Authorization

At the time of adoption finalization, the adoption social worker must submit a copy of the *Decree of Adoption* to the eligibility specialist and enter the payment authorization information in UNITY. The adoption subsidy specialist will approve the payment in UNITY. This reimbursement is paid directly to the adoptive parents after finalization in the next monthly payment cycle.

Documentation

61040. Adoption Subsidy Application

The adoption social worker provides the prospective adoptive family with: (1) all required notifications and (2) the *Adoption Subsidy Application* with all required supporting documents.

The prospective adoptive family completes pages one (1), two (2), and three (3) of the subsidy application and returns the application with supporting documentation to the adoption social worker.

Documentation

a. Preliminary Determination of Child Eligibility

The adoption social worker completes Section II of page four (4) of the subsidy application and forwards the application to the eligibility specialist, along with all required documentation.

The eligibility specialist determines the potential sources of funding for the requested subsidy based on the requirements of Title IV-E, Medicaid, and Nevada child welfare regulations. The adoption social worker completes PART III on page five (5) of the subsidy application and returns the application to the eligibility specialist.

In addition to the eligibility criteria of these funding sources, it is also required that the child must be a United States citizen or qualified alien in order to be eligible for a subsidy that is partially reimbursed by federal funds under Title IV-E. A qualified alien is defined as:

- A resident lawfully admitted for permanent residence under the Immigration and Nationality Act, **or**
- An alien who is granted asylum under Section 208 of the Act, **or**
- A refugee admitted to the United States under Section 207 of the act, **or**
- An alien whose deportation is being withheld under Section 243(h) of the act, **or**
- An alien who is paroled into the United States under Section 212(d)(5) of the act, **or**

- An alien who is granted conditional entry pursuant to Section 203(a)(7) of the act, **or**
- A Cuban or Haitian entrant, **or**
- An alien who (or whose child or parent) has been battered or subjected to extreme cruelty in the United States.
- Children who are in the United States under a visitor's or tourist's visa or under a student arrangement are not eligible for a subsidy that is partially reimbursed under Title IV-E.
- An alien's status must be verified using the Systematic Alien Verification for Entitlements Program.

NOTE: If the child is a qualified alien placed with a qualified alien or United States citizen, the date the child entered the United States is irrelevant. However, if the child is a qualified alien who entered the United States on or after August 22, 1996, and he/she is placed with an unqualified alien, the child's subsidy is not eligible for partial federal reimbursement under Title IV-E for five (5) years from the date the child entered the United States.

Documentation

b. Documentation for Adoption Subsidy

To obtain approval for an adoption subsidy, the adoption social worker collects and/or prepares a set of documents for submission to the adoption subsidy specialist. These are described in Documentation for Adoption Policies and Procedures.

c. Negotiating Adoption Subsidy

A family means test **cannot** be used to negotiate the *Adoption Subsidy Agreement*. The payment that is agreed upon should be combined with the adoptive family's resources and the child's resources (e.g., Social Security benefits, trust funds) to cover the ordinary and special needs of the child projected over an extended period of time. A discussion of these needs is the basis of the negotiation of the amount of the adoption subsidy payment.

The adoption social worker will discuss the circumstances of the adoptive family, including its:

- Capacity to incorporate the child into the family.
- Standard of living and current plans or anticipated changes.
- Capacity to meet the immediate and future needs of the child.

The child's current needs are the basis for the negotiation of the subsidy. The unique nature of each child-and-family situation results in an individually established rate of payment.

Within fourteen (14) days of receiving the completed application and documentation for adoption subsidy, the adoption social worker must meet with the potential adoptive family to complete the negotiation.

Prior to meeting with the family, the adoption social worker must have reviewed:

- The application and all documentation to assess: (1) the child with special needs, and (2) the costs and resources for meeting the best interests and current needs of, and assessing the risk factors for, the child.
- The results of the review by the eligibility specialist that determined the *child's eligibility for various funding sources* (e.g., Title IV-E federally reimbursed adoption subsidy, Title XIX Medicaid, Title XX.)

The adoption social worker must meet with the prospective adoptive family and use the *Adoption Subsidy Negotiation Worksheet* and guidelines to determine service needs and costs to meet the child's needs. When all of the documents required for an adoption subsidy are compiled, the adoption supervisor and adoption subsidy specialist evaluate the information and either support or deny the application for subsidy. The tasks to complete an application of an adoption subsidy are as follows:

- The adoption social worker must give the prospective adoptive family the *Adoption Subsidy Application*.
- The prospective adoptive family completes pages one (1), two (2), and three (3) of the subsidy application and returns the *Adoption Subsidy Application*, along with supporting documentation, to the adoption social worker.
- The adoption social worker must complete Section II of page four (4) of the subsidy application and forward page five (5) of the application to the eligibility specialist to determine funding sources for the subsidy.
- The eligibility specialist determines the funding sources for the subsidy. The funding sources affect the child's medical, service, and payment eligibility. The eligibility specialist must complete Part III on page five (5) of the subsidy application and return the application to the adoption social worker.
- After the eligibility specialist determines the funding source and returns the application to the adoption social worker, the adoption social worker must send the application to the adoption subsidy specialist for approval or denial of the subsidy request.

- After finalization, the adoption social worker creates a subsidy application in UNITY. For additional information on creating a subsidy in UNITY, see the UNITY Student Guide.

The adoption subsidy specialist advises the adoption social worker if the subsidy has been approved or denied.

Documentation

61050. Approval or Denial of Adoption Subsidy

Upon completion of the negotiation, the eligibility specialist consults with the adoption supervisor and completes the recommendation section of the *Adoption Subsidy Application*. The adoption subsidy specialist sends the signed application with recommendations for adoption subsidy to the adoption social worker.

If the subsidy application is approved, four (4) original copies of the *Adoption Subsidy Agreement* must be completed by the adoption subsidy specialist and returned to the adoption social worker. The written *Adoption Subsidy Agreement* specifies:

- Names of the adoptive family.
- Name and date of birth of the child(ren) to be adopted.
- The nature and amount of any payment and services and assistance to be provided, including nonrecurring adoption expenses.
- That the agreement remains in effect regardless of the adoptive parent and/or child(ren)'s state of residence.
- The child(ren)'s eligibility for Title IV-E (if applicable), Title XX, and Title XIX.
- The duration of the agreement.
- Conditions upon which the assistance can be terminated.

The adoption subsidy specialist creates four (4) original copies of the agreement and provides one (1) to the family and includes one (1) in the subsidy file, one (1) in the eligibility file, and one (1) in the adoption file.

The family may request an administrative review or hearing if its request for assistance is denied, terminated, or reduced. (Medicaid issues require a fair hearing by the Nevada Division of Health Care Financing and Policy.)

If there is a denial of a subsidy for a child, within three (3) days of the decision the adoption subsidy specialist must notify the family with a *Subsidy Denial Letter* by certified mail and attach to this letter the fair hearing notice and *Fair Hearing Request* form. (See *Section 610100: Subsidy Fair Hearing*.)

Once the adoption has been finalized, the adoption social worker must submit a copy of the *Decree of Adoption* to the eligibility specialist and permanency case manager and complete the required windows in UNITY to document the application and the approved reimbursement and to request the payment. The adoption social worker also forwards the *Petition to Adopt* to the eligibility specialist. The adoption supervisor must complete the appropriate UNITY screens, including adoption association. The adoption subsidy specialist then must process the payment request in UNITY. See the **UNITY Student Guide, Adoption Services and Subsidy**, for more information.

Documentation

61060. Annual Subsidy Review Requirements

The adoption subsidy must be reviewed at least annually **or** upon request when child or family circumstances change. The first and all subsequent reviews are to be completed twelve (12) months from the month the adoption order was signed.

a. Annual Subsidy Review Process

At least sixty (60) days before the review due date, the eligibility specialist must send a copy of the annual adoption subsidy review and cover letter to the adoptive family to determine the child's continued eligibility for a subsidy. When the adoption subsidy review is completed and returned by the family to the eligibility specialist, it is logged as received, then processed by the adoption subsidy specialist and eligibility specialist.

If the family does not respond to the adoption subsidy review and cover letter within thirty (30) days after the documents are sent, the eligibility specialist notifies the family and the adoption social worker that the Medicaid/state medical coverage funding portion of the subsidy will be terminated. This termination notice must include fair hearing rights. The eligibility specialist will terminate Medicaid/state medical coverage in UNITY, NOMADS, and ICAMA, if applicable.

In cases where a new subsidy agreement is executed, the adoption subsidy specialist must provide the amended subsidy agreement to the eligibility specialist. The adoption subsidy specialist completes the appropriate windows in UNITY; creates three (3) original copies of the agreement; and provides one (1) to the family, includes one (1) in the subsidy file, and includes one (1) in the eligibility file.

61070. Termination of Adoption Subsidy

Once an *Adoption Subsidy Agreement* has been signed and is in effect, it can be terminated under the following circumstances:

- The child becomes eighteen (18) years old.
- The death of the child.
- The death of both adoptive parents.
- It is determined the adoptive parent(s) are no longer legally responsible for the support of the child. A parent is considered no longer legally responsible for the support of the child when parental rights have been terminated, the child becomes an emancipated minor, the child marries, or the child enlists in the military.
- It is determined that the adoptive parent(s) no longer provides support for the child. In some cases, when a child no longer lives at home full-time, it may be determined that the parent(s) continues to provide some sort of financial support to the child so the subsidy is not terminated. Examples of acceptable forms of financial support include, but are not limited to, family therapy fees, tuition, clothing, maintenance of special equipment in the home, and services for a child's needs. Documentation is required in the form of receipts, bills, and/or documents from service providers.
- The adoptive parent(s) failed to provide requested information for an annual subsidy renewal (only Medicaid or state medical coverage is not renewed) for review by the specified date.
- The adoptive parent(s) states that he/she no longer requires a subsidy for the child.

61080. Interstate Compact on Adoption and Medical Assistance (ICAMA)

When a child eligible for Nevada Medicaid as part of a Nevada *Adoption Subsidy Agreement* moves to another state and requests medical assistance in the other state, the adoptive parent(s) must make a request to transfer medical eligibility to the new state of residence.

When the eligibility specialist receives this request from the adoptive parent(s), the adoption eligibility specialist must:

- Complete the Interstate Compact on Adoption and Medical Assistance (ICAMA) form.
- Attach a copy of the *Adoption Subsidy Agreement*.

- Send the completed ICAMA form and a copy of the *Adoption Subsidy Agreement* to the designated ICAMA coordinator in Carson City, Nevada.

When the ICAMA coordinator receives the ICAMA and *Adoption Subsidy Agreement* forms, he/she must notify the other state of the child's new residence by signing and sending the ICAMA form. This form notifies the other state that the child residing in that state is requesting Medicaid. The ICAMA coordinator must also send a copy of the ICAMA form to the adoptive parent(s), notifying them that the other state has been notified of the Medicaid request.

The ICAMA form must be used to notify the other state of any changes (e.g., termination of Nevada subsidy, address change) that would affect Medicaid eligibility. When notified of any changes, the eligibility specialist must complete the ICAMA form and forward it to the Nevada ICAMA coordinator, who then forwards it to the ICAMA coordinator in the other state of residence.

Documentation

61090. Interstate Compact on the Placement of Children Subsidy Only

When a child born in Nevada is being adopted by a family in another state, an adoption *Home Study* is completed and approved by that state through ICPC. Documentation for the subsidy is completed as described in *Section 61040: Adoption Subsidy Application*. The DFS adoption social worker negotiates the subsidy with the adoptive parents on the telephone. When completed, the subsidy agreement is sent to the adoptive family to obtain signatures. When the family signs the subsidy agreement and returns the document to Nevada, the subsidy agreement is approved. The adoption subsidy specialist will provide the DFS adoption worker with a *Consent to Adopt*, which is sent directly to the agency handling the adoption. A copy of the subsidy application, the subsidy agreements, and the consents is sent through ICPC in Carson City, Nevada, for its file.

Once the adoption in the other state is finalized, the adoption social worker sends notification to ICPC in Carson City, Nevada, providing the *Decree of Adoption* to the ICPC administrator. The permanency case manager then submits Form 100B through ICPC, which indicates that the case is closed.

Documentation

610100. Subsidy Fair Hearing

At the time of any denial, reduction, or termination of a new or renewed subsidy, the adoption subsidy specialist must advise the adoptive family in writing of the decision, the reason for the decision, and the process for requesting a fair hearing.

Documentation

a. Reasons for Fair Hearing

Fair hearings may be requested if there is:

- A decrease in the amount of adoption subsidy without the agreement of the adoptive parent(s), **or**
- A denial of a request for a change in payment level due to a change in the adoptive parent's (parents') circumstances, **or**
- Any other denial, reduction, or termination of the approved subsidy or subsidy request.
- A situation where the adoptive parent(s) believe they were wrongfully denied benefits on behalf of an adoptive child prior to the finalization of the adoption.

Fair hearing officers (FHOs):

- Preside at hearings, can request the attendance of witnesses and the production of records, take testimony, and review evidence regarding adoption subsidies.
- Are impartial and not involved in any manner with the individuals who are involved in the fair hearing.
- Are guided by relevant laws, regulations, and administrative directives.
- Must make an order for the Department to award a subsidy on the grounds cited below.

While not required, the appellant may have legal representation present. The fair hearing appellant is responsible for all legal costs incurred for hiring an attorney regardless of the final outcome.

b. Grounds for Reversal

The Department can reverse its decision to deny a subsidy after adoption finalization if the fair hearing officer finds that the family was denied the subsidy or was unable to apply for the subsidy due to one or more of the following extenuating circumstances:

- Relevant facts regarding the child were known by the Department or child-placing agency and were not presented to the adoptive parent(s) prior to the finalization of the adoption.
- Denial of the subsidy was based on a means test of the adoptive family.

- The adoptive family disagrees with the determination by the Department that the child is ineligible for adoption subsidy.
- The Department failed to advise the potential adoptive parent(s) of the availability of adoption subsidy for children in the foster care system.

The adoptive parent(s) must prove the extenuating circumstances in the fair hearing. The child must meet the behavioral or emotional, developmental, and medical needs criteria in effect at the time of the finalization of the adoption.

c. Request for Fair Hearing

The request for a fair hearing must be made in writing to the adoption subsidy specialist and be postmarked (if mailed) no later than thirty (30) calendar days after the date on which the written subsidy determination is made. If an adoptive parent applicant fails to request a fair hearing within thirty (30) days of receiving the written notice of a denial, reduction, or termination of subsidy, he/she will have waived his/her rights to a fair hearing.

d. Prehearing Conference

When the adoption subsidy specialist receives the request for a fair hearing, he/she will immediately request a fair hearing to occur within thirty (30) calendar days of the request. The adoption supervisor will also schedule a prehearing conference between the adoption subsidy specialist and adoptive family to occur within ten (10) calendar days of the request. In this prehearing conference, the adoption social worker will meet in person with the adoptive parent to:

- Review and explain the written notice of the determination (e.g., denial, reduction).
- Review and discuss prior submissions to explore whether these materials were accurate and complete and help the family revise or amend the materials.
- Review any new information or additional documentation provided by the foster family.

As a result of the prehearing conference, the adoption social worker may complete a revised *Adoption Subsidy Application* for approval by the adoption supervisor. This revised and approved application may be presented to the adoption subsidy specialist or at the fair hearing. This conference in no way affects the right to a fair hearing for the adoptive parent(s).

e. Fair Hearing Determination

The adoption subsidy specialist notifies the adoptive family of the time, date, and location of the hearing at least ten (10) days in advance of the scheduled date. The fair hearing officer can

postpone the hearing at the request of either party. Hearings can be conducted by telephone when agreed to in writing by all parties.

The fair hearing officer makes a decision based on the findings in the case record and the written documents submitted by the adoptive parent(s) and Department staff. This decision must be made within thirty (30) calendar days of the hearing, and written notification must be sent to the applicant within fifteen (15) calendar days of the decision. The fair hearing officer cannot order enrollment in Medicaid if the child is not eligible. There is a separate fair hearing process for Medicaid.

When neither the adoptive family nor its representative appear for a scheduled hearing, the hearing is considered abandoned unless the fair hearing officer is presented with evidence of good cause for the failure to appear.

610110. *Post-Legal Adoption Subsidy Application*

Adoptive parents may request an adoption subsidy after finalization in order to meet the needs of their child when those needs were not discovered prior to the finalization of the adoption. However, DFS must automatically deny this application and schedule a fair hearing in order to obtain authorization.

a. Application and Review of Post-Legal Adoption Subsidies

Families contact the adoption subsidy specialist for assistance. Because of federal and state guidelines, DFS must deny the request and provide a referral for a fair hearing.

- Upon learning of the adoptive family's request for assistance, the adoption subsidy specialist must contact the adoptive family to discuss and assess the family's need for assistance.
- Based on a records review, the adoption subsidy specialist must determine if:
 - » The child would have met subsidy eligibility requirements at the time of adoption, **and**
 - » Relevant facts regarding the child's behavioral or emotional, developmental, and medical needs or background were known by the Department but were not presented to the adoptive parents, **or**
 - » The Department failed to advise the adoptive parents of the subsidy program, **or**
 - » The family previously declined an adoption subsidy. If the family previously declined, it is not eligible for assistance.
- The adoption subsidy specialist must provide the adoptive family with the *Adoption Subsidy Application*. The adoptive family completes pages one (1), two (2), and three (3) of the ap-

plication and returns the application to the adoption subsidy specialist. The adoptive family must attach statements from the child's current physician or treatment provider outlining the child's behavioral or emotional, developmental, and medical needs; whether the condition is preexisting; recommendations for treatment; the estimated length of treatment; and treatment cost.

- If approved by the administrator, the adoption subsidy specialist forwards the *Adoption Subsidy Agreement*, along with a report recommending approval, to the FHO for review.
- If the FHO concurs, he/she writes an order and sends it to all parties.
- A copy of the order is given to the eligibility specialist.
- The agreement is subject to annual renewal. (See *Section 61060: Annual Subsidy Review Requirements*.)
- The delayed request for subsidy must be automatically denied because the request was not made prior to finalization.
- The family is sent a denial letter and a *Fair Hearing Request* form.
- At the fair hearing, both the adoptive family and the adoption subsidy specialist will provide information and recommendations to the hearing officer. The adoption subsidy specialist will submit a report that includes a case summary and a recommendation for approval or denial of the subsidy.

Documentation

b. Authorization and Duration of Subsidy

Based on a finding by the fair hearing officer, DFS is authorized to make a onetime or ongoing subsidy payment directly to the adoptive parent based on the child's unique needs and eligibility for various public benefits. The fair hearing officer may not authorize a subsidy that exceeds the maximum established foster care maintenance rate. This payment continues with annual reviews until the child reaches majority (eighteen [18]) regardless of school enrollment, unless terminated for cause.

c. Considerations at the Fair Hearing

(i) Child Eligibility

In the case of a *Post-Legal Adoption Subsidy Application*, the following requirements must be met in determining the child's eligibility for financial assistance:

- The child was in the Department's custody or other licensed Nevada child-placing agency prior to finalization of adoption.
- The child is determined to have behavioral or emotional, developmental, and medical needs, and the need for treatment or other payment assistance is related to a preexisting condition.
- The adoptive family did not previously decline subsidy.
- The adoption subsidy specialist determines that the adoptive family was denied the subsidy or was unable to apply due to the following extenuating circumstances:
 - » Relevant facts that may have affected the behavioral or emotional, developmental, and medical needs determination, if they were known, were not presented to the adoptive parents prior to finalization, **or**
 - » The adoptive parents were never advised of the subsidy program.

(ii) Allowable Services

In the case of a *Post-Legal Adoption Subsidy Application*, the following are considered allowable services:

- Financial assistance to help cover the child's day-to-day needs, **or**
- Onetime or periodic financial assistance to cover specific services or treatment related to the child's preexisting condition. Payments under this section may be requested to cover, but are not limited, to long- or short-term medical services that could include payment for medical appointments, diagnostic workups, prescription medication, and/or other rehabilitative treatment or social services required to meet the child's needs related to physical handicaps, intellectual impairment, developmental disability, mental or emotional disturbance, or behavioral disorder. This could include a psychological or psychiatric evaluation, outpatient counseling, speech or occupational therapy, respite care, specialized equipment as recommended by the treatment provider, or remedial education services not provided by the child's school.
- Medical assistance is only available via financial assistance and is not available under eligibility for a medical card. This only applies to state-funded subsidies, not Title IV-E-funded subsidies.

61100. Legal Process

The legal process for adoption begins with the severing of parental rights to free the child(ren) for adoption and ends with the finalization of the adoption in court. There are two methods to end parental rights: (1) parents can voluntarily relinquish their legal rights to their child(ren), or (2) the

parents' rights to their child(ren) can be involuntarily ended via a court process called the termination of parental rights.

61110. Voluntary Relinquishment

Relinquishment as an option should be discussed with the child(ren)'s parents, who may recognize that they are unable to care for their child(ren) and want to assist with the permanency process for their child(ren). Relinquishment avoids the adversarial TPR legal process and is a critical decision for parents because it terminates their legal rights to their child(ren). While considering this decision, they should have counseling, legal assistance, or other services from qualified staff who understand relinquishment, can provide the information that parents need, and are not the primary workers for the case. The parents' decision must be made with no promises, pressure, or undue influence. If the parents' primary language is not English, counseling and relinquishment information must be given in the language in which they are fluent.

It is important to determine that it is in the best interest of the child(ren), that the parents' decision is well informed, and that the parents' understand it is irrevocable.

If one parent decides to relinquish, and the whereabouts of the other parent are known, the permanency case manager must inform the other parent and discuss permanency options for the child(ren) before the relinquishment is taken. If parents disagree about an appropriate plan for their child(ren), the permanency case manager will offer to assist the parents in obtaining counseling or other services to help them to reach an agreement whenever possible.

The decision to accept a relinquishment is reviewed by the permanency case manager and permanency supervisor, as well as the adoption social worker and adoption supervisor.

a. Accepting a Relinquishment

A relinquishment may be accepted under the following circumstances:

- Adoption is determined to be the most appropriate plan for the child.
- The parent(s) is competent to execute the relinquishment. If the worker has documentation, assessments, or other reasons to believe that the parent(s) may not be competent due to limited intellectual capacity or mental health limitations or appears to be under the influence of an undetermined substance, the parent(s) must be offered legal representation before the relinquishment is taken, and the relinquishment must be taken in court.
- The parent(s) has had ample time and counseling to consider the implications of his/her decision to relinquish.

- The case has been staffed by the District Attorney's Office, the permanency case manager and supervisor, and the adoption social worker and adoption supervisor.
- If the parent(s) is represented by legal counsel, his/her counsel should be present at the relinquishment or have provided a written waiver of his/her appearance.
- Relinquishments will only be taken for children who are wards of the court.

b. Legal Considerations of the Relinquishment

- If a *Post-Adoption Contact Agreement* has been negotiated between the child's parent/guardian and adoptive parents, the relinquishment shall not be executed until all parties have signed the agreement.
- Birth parents who sign a relinquishment sever all parental rights in regard to their child. They may retain contact rights under a separate agreement, the *Post-Adoption Contact Agreement*, which must be incorporated into the adoption decree. (See the next section below.)
- A birth mother cannot sign a relinquishment before a child is at least seventy-two (72) hours old.
- Under the Indian Child Welfare Act (ICWA), a birth mother must wait ten (10) days post-birth and sign a relinquishment in open court before a judge.
- If a child is thought to be an Indian child, a determination must be made as to whether ICWA applies to the case **before** the relinquishment is executed. Relinquishment proceedings for Indian children differ greatly from non-Indian children. Relinquishments for Indian children **must be signed** before a judge. Direction from legal counsel must be obtained to ensure ICWA compliance.
- To legally free the child, relinquishments must be obtained from both the birth/legal parents and the legally presumed or any putative father.
- A relinquishment can be executed by the father **before** the birth of the child if the father is not married to the mother. The relinquishment becomes invalid if:
 - » The father of the child marries the mother of the child before the child is born.
 - » The mother of the child does not sign a relinquishment or *Consent to Adopt* within six (6) months after the birth of the child, **or**
 - » No petition for adoption of the child has been filed within two (2) years after the birth of the child.

- Upon acceptance of a relinquishment, the agency assumes all legal responsibility for the child, the obligation to place the child in a permanent home, and the authority to consent to the child's adoption.
- A relinquishment is not required from a parent whose parental rights have been terminated by court order.

c. *Post-Adoption Contact Agreement*

Birth and adoptive parents may elect to enter into legally enforceable agreements that provide for contact between the birth/legal parent(s) and the child(ren) after finalization of the adoption. (NOTE: DFS is not party to this agreement.) If a *Post-Adoption Contact Agreement* has been negotiated between the child(ren)'s parent(s) and adoptive parents, the relinquishment must not be executed until all parties have signed the *Post-Adoption Contact Agreement*.

In order for the *Post-Adoption Contact Agreement* to be enforceable, it must be **signed before any relinquishment** while the parent(s) still retain his/her rights as a parent(s). To be legally enforceable, the existence of a written *Post-Adoption Contact Agreement* must be reported to the court **prior** to finalization of the adoption **and** it must be incorporated into the *Decree of Adoption*. NRS 127 requires that all parties (e.g., the adoptive parents, the adoption social worker involved in the adoption proceedings, the attorney for the adoptive parents and the child[ren], the Department's legal counsel) notify the court responsible for entering the order/*Decree of Adoption* of the existence of a *Post-Adoption Contact Agreement*. The adoption social worker involved in finalization of the adoption must also incorporate information regarding a *Post-Adoption Contact Agreement* into the *Confidential Report* to the court.

d. *Relinquishment Forms*

Relinquishment forms have very specific uses, and the adoption social worker must ensure that the form used is specific to the circumstances of the relinquishment.

- The *Relinquishment of Child for Adoption* form is used for voluntary relinquishments of the child by the mother, legal and birth father, legal but not birth father, or legal guardian(s). By executing the form, the parent(s) or legal guardian(s) relinquishes all legal rights and responsibilities to the child, authorizes DFS to place the child, and consents to the child's adoption.
- The *Declaration of Putative Father* form is used if the putative father (named by an unmarried mother) refuses to sign the *Relinquishment of Child for Adoption* form. The *Declaration of Putative Father* form permits the alleged father to deny, refuse to acknowledge, or deny paternity of the child.

- The *Birth Mother Affidavit* form regarding the father should be completed in cases where the mother is relinquishing a child for adoption. The purpose of the affidavit is to identify the father and to protect his rights in termination of parental rights proceedings. An affidavit should be obtained whenever a father's rights are not voluntarily relinquished and it is necessary to pursue TPR. The original affidavit is submitted to the court with the TPR petition and a copy maintained in the case record.
- The *Relinquishment of an Indian Child for Adoption* form is used when the parent(s) of an Indian child relinquishes legal rights to and responsibilities for the child to the agency, authorizes the agency to place the child, and consents to the child's adoption. Relinquishments on Indian children must be executed in person before the court.

If the relinquishment is accepted after the child's birth, the child's name on the relinquishment should be the same as given on the birth certificate. If there is no name on the birth certificate, the child is identified by sex and birth date. The permanency case manager should staff the case with the permanency supervisor and legal counsel to determine how to obtain a birth certificate for the child who does not have one due to circumstances of the birth.

Each parent must sign a separate relinquishment for **each** child. Any different name by which a parent is known must be included and signed on the relinquishment.

Relinquishments must be signed before a notary public and attested to by at least two competent, disinterested witnesses, one of whom must be a licensed social worker employed by DFS, a Nevada-licensed child-placing agency, a comparable state or county agency of another state, or an agency licensed in another state to place children for adoption if the birth parent resides in that state.

The permanency case worker and supervisor assigned to the case shall **not** sign as witnesses to the relinquishment. The relinquishment must be witnessed by a neutral representative of the agency who is not the caseworker who counseled the parents.

Five (5) copies of the relinquishment are signed. One (1) copy is given to the parent, and three (3) copies are retained in the Department file. One (1) copy should be filed with the court within fourteen (14) working days after acceptance or receipt of the relinquishment. One (1) copy is later submitted with the *Confidential Report* to the court to finalize the adoption.

If the parent chooses the option of voluntary relinquishment, the adoption social worker will assist the parent and permanency case manager throughout the process to completion.

- Prior to accepting a relinquishment from a biological, legal, putative, or any other type of parent, the adoption social worker must meet with his/her supervisor, confirm the child(ren)

is a ward(s) of the court, and confirm that the relinquishing parent is named on the birth certificate or has otherwise established legal parentage.

- Once the above criteria are met, the adoption social worker meets with the parent, reviews the relinquishment process, and informs the parent that he/she has a right to counsel.
 - » The adoption social worker provides the parent with an informational handout about the Nevada voluntary relinquishment statute and the adoption registry for the parent's review.
 - » The adoption social worker **must** ask if the parent would like to consult with an attorney before moving forward with the relinquishment process.
 - » If the parent would like to consult with an attorney, the adoption social worker informs him/her of the process to secure counsel and the timelines associated with this process.
 - » The adoption social worker tells the parent that he/she will consult with the assistant district attorney upon appointment of an attorney and request a court hearing date.
 - » The adoption social worker will document the discussion from the meeting in a UNITY case note and lists the parties in attendance.
- The permanency case manager and adoption social worker calls and consults with the assistant district attorney regarding the relinquishment for **all** parents who request an attorney and for **any** parent who may not be competent to understand the proceeding. The purposes of this consultation are to determine whether this action is in the best interest of the child(ren) and whether or not the parents, for any reason, require legal counsel to complete the relinquishment. This meeting is conducted in person or via telephone.
- If legal assistance is required or requested, the adoption social worker follows the process to put the case on the court calendar.

NOTE: The judge will make the determination if an attorney will be appointed by the court.

- » If no legal assistance is required or requested, the adoption social worker proceeds with scheduling the appointment with the parent to obtain the *Legal Assistance Waiver*.
- » The adoption social worker documents the discussion from the meeting in a UNITY case note and lists the parties in attendance.
- The adoption social worker meets with the parent to confirm that he/she clearly understands the ramifications of the relinquishment and to determine his/her readiness to proceed.

NOTE: If the parent is not ready, the process is postponed to a later date. The adoption social worker will consult with the permanency case manager to amend the case plan, if needed.

- The adoption social worker prepares the relinquishment documents, schedules a meeting, and informs the parent, permanency case manager, and any other involved parties of the date and time of the meeting.
 - » The adoption social worker hosts the relinquishment meeting.
 - » The adoption social worker arranges for a licensed social worker, a witness, and a notary to be present to help complete the relinquishment paperwork. The adoption social worker prepares five (5) originals of the relinquishment documents.
- Once the relinquishment documents are executed, the parent is provided with an original.
 - » If the relinquishment occurred in court, the remaining originals are immediately taken to the court clerk to file. The court clerk file-stamps the originals and keeps one for the court clerk's filing, the adoption social worker takes one to the Assistant District Attorney's Office and one to the judge's chambers, and the final original is for the case file.
 - » If the relinquishment did not occur in court, the paperwork is taken to the court clerk to file once the relinquishment has been documented in UNITY.
- The adoption social worker documents the relinquishment process in UNITY and includes the discussion, as well as the parties in attendance.
- The adoption social worker meets with the permanency case manager if he/she was not present and reports on the outcome of the relinquishment. If there are known or unknown parents who have not relinquished, then the court process for the termination of parental rights needs to be followed.

Once relinquishment or TPR has been finalized, the adoption supervisor completes the following steps in UNITY:

- Locates the case in the case directory in UNITY according to the birth mother's name and verifies that adoption characteristics are completed. If the field is in yellow, it is to be completed once the adoption is finalized.
- Verifies that the permanency case manager has entered the TPR date and year of birth and if the parent(s) is deceased.

Documentation

61120. Termination of Parental Rights (TPR)

Federal law establishes time frames for local child welfare agencies to request filing for a court order of TPR. These are summarized below.

- In cases of abandonment when the parent(s) is not available **at the end of six (6) months**, the permanency case manager and adoption social worker will meet with the permanency supervisor to determine if it is appropriate to submit the case to the District Attorney's Office for TPR.
- If, **at the end of nine (9) months**, the parent(s) has made little progress toward changing the circumstances that brought his/her child(ren) into out-of-home care, the permanency case manager must review the case with the District Attorney's Office to determine potential and preliminary grounds for TPR. *NOTE:* The permanency case manager may request that the adoption social worker engage the parent(s) to voluntarily relinquish his/her parental rights. If this is unsuccessful, the permanency case manager will refer the case to the District Attorney's Office to file for a TPR hearing in court at the appropriate time.
- If **at the end of twelve (12) months**, or if the child has been in out-of-home care for fourteen (14) of the most recent twenty (20) months, and the parent's (parents') progress does not warrant consideration of a reunification goal, the permanency goal must be changed to adoption with the approval of the supervisor and by order of the court.

If the permanency case worker and supervisor agree that: (1) there are reasons to extend these services, (2) the parents are making progress, and (3) there is reason to believe that reunification is imminent, the supervisor may consult with the unit assistant manager to reach a decision on how to manage the case and meet ASFA allowances for exceptions with judicial approval. The ASFA provisions for exceptions are:

- The child in protective placement is being cared for by a relative,
- The case plan presents a compelling reason for determining that filing such a petition would not be in the best interest of the child, **or**
- The case plan identifies needed services for reasonable efforts for safe return home that have not been delivered within these time frames (e.g., completion of substance abuse treatment).

If the permanency case manager and adoption supervisor agree to seeking TPR within these time frames for an allowable exception, the permanency supervisor will review the case and notify the their DFS manager and assistant manager.

a. Legal Grounds for Termination of Parental Rights

Based on the parent's conduct and reasonable efforts requirements, legal grounds for TPR include:

- Abandonment of the child.
- Neglect of the child.
- Unfitness of the parent.
- Risk of serious physical, mental, or emotional injury to the child if he/she is returned to, or remains in, the home of the parent.
- Failure of the parent to eliminate the risks of harm (e.g., physical, mental, or emotional injury) that brought the child into care.

b. Other Conditions That Impact Filing TPR Petitions

The following conditions impact the filing of TPR petitions by the permanency case manager:

- **The court determines that reasonable efforts to reunify are not required.** The court may determine that TPR and placement for adoption is the appropriate plan for the child. NRS 432B.393 identifies the following circumstances that the court may consider in determining if DFS is **not required** to make reasonable efforts for reunification. The evidence that the court may consider is as follows:
 - » Committed, aided, or abetted in the commission of or attempted, conspired, or solicited to commit murder or voluntary manslaughter. (See the Parent Convicted of a Felony bullet below.)
 - » Caused the abuse or neglect of the child, or of another child of the parent or primary caregiver, which resulted in substantial bodily harm to the abused or neglected child.
 - » Caused the abuse or neglect of the child, a sibling of the child, or another child in the household, and the abuse or neglect was so extreme that it contraindicates any plan to return the child to his/her home, or if placement would result in an unacceptable risk to the health or welfare of the child.
 - » Abandoned the child for sixty (60) or more days, and the identity of the parent of the child is unknown and cannot be determined through reasonable efforts.
- A parent of the child has, for the previous six (6) months, had the ability to contact or communicate with the child and made no more than token efforts to do so.
- The parental rights of a parent to a sibling of the child have been terminated by a court order, not a voluntary relinquishment of those rights by a natural parent, and the court order is not currently being appealed.

- The child or a sibling of the child was previously removed from his/her home, adjudicated to have been abused or neglected, returned to his/her home, and subsequently removed from his/her home as a result of additional abuse or neglect;
- The child is less than one (1) year of age, the father of the child is not married to the mother of the child, and the father of the child:
 - » Has failed within sixty (60) days after learning of the birth of the child to visit the child, to commence proceedings to establish his paternity of the child, or to provide financial support for the child, **or**
 - » Is entitled to seek custody of the child but fails to do so within sixty (60) days after learning that the child was placed in foster care.
- *Child in Care for Fourteen (14) Months* – If the child has been in substitute care for fourteen (14) of the most recent twenty (20) months, the permanency case manager must calculate the time from the date the child was removed from parents. The permanency case manager determines if there have been any exits and entrances to foster care during the fourteen (14)-or-more-month period. Trial home visits of up to six (6) months and runaways are not counted in calculating the fourteen (14) months. The petition to terminate parental rights must be filed by the end of the fourteenth (14th) month.
- *Abandoned Infant* – The newborn baby was delivered to a provider of emergency services for voluntary placement pursuant to NRS 432B.630. If the court determines an infant has been abandoned, the termination petition must be filed within sixty (60) days of the determination (45 CFR 1356.21).
- *Parent Convicted of a Felony* – If a parent has been convicted of any of the following felonies, the termination of parental rights petition must be filed within sixty (60) days of the court's determination that reasonable efforts to reunify are not required: (1) murder or voluntary manslaughter of another child of the parent, (2) aiding or abetting, attempting, conspiring, or soliciting to commit murder or manslaughter, or (3) felony assault resulting in serious bodily injury to the child or another child of the parent.

c. Decision to File a Petition to Terminate Parental Rights (TPR)

The permanency case manager and permanency supervisor, in consultation with the Department's legal representation, must evaluate when to request that the district attorney file to terminate parental rights when reunification is no longer a viable goal.

Clark County **must** file TPR when any of the following conditions are present:

- Judicial determination based on statutory grounds, defined above.

- Reasonable efforts to reunify have been waived by the court.

The permanency case manager and supervisor will document that reunification has been ruled out and that adoption is the preferred permanency goal.

d. Referral Process for TPR

The referral to the district attorney to terminate parental rights occurs when adoption is the permanency goal for the child and legal grounds for termination exist. The permanency case manager's recommendation to refer for TPR must be reviewed by the permanency supervisor. The permanency case manager must:

- Complete the *Termination of Parental Rights Worksheet and Checklist*.
- Answer all questions on the worksheet and provide supportive documentation.
- Describe all efforts to locate the parents, legal custodians, and/or legal guardians, and a diligent search must have been completed to locate them.
- Complete termination of parental rights referral packets and submit them to the supervisor for approval and submission to the District Attorney's Office within thirty (30) calendar days from the date that adoption is approved as the permanency goal by the court **or** when the Department determines that filing for TPR is in the child's best interest.
- As part of the TPR process, determine if the Indian Child Welfare Act (ICWA) applies to the case. TPR proceedings differ when ICWA applies. Consult with legal counsel.

The TPR order allows the Department to have custody and control of the child, with the authority to place the child and consent to the child's adoption.

e. Parent's (Parents') Rights to Appeal

The parent(s) has thirty (30) days from the **date of filing** the *Notice of Entry of the Termination of Parental Rights* to file an appeal with the Nevada Supreme Court. (**NOTE:** The parent(s) may seek other legal options after this time). If the adoptive resource has questions about the legal implications of the appeal, he/she should be referred to his/her own attorney. **In no case** will the adoption social worker provide legal advice or interpretations to the potential adoptive parent(s). If the adoption social worker is asked about any legal or technical matter that is outside his/her areas of training and job responsibilities, he/she is expected to refer the matter to a supervisor.

All potential adoptive resources are prepared for this possibility prior to the event of an appeal.

- All potential adoptive resources are informed of the general legal processes and time frames for adoption, including the parent's right to appeal or the parent's request for an order of *Restoration of Parental Rights*. This information is provided by the adoption recruiter or the permanency case manager (for current caregivers). (See *Section 6320: Preparing the Adoptive Case*.)
- The PS-MAPP program helps the potential adoptive resource understand loss, grief, and regret that is part of termination of parental rights and adoption.

If the parent does file an appeal, the adoption social worker will:

- Discuss the case with his/her supervisor to determine if the appeal will, in any way, impact the ongoing work of the adoption.
- Inform the adoptive resource that the appeal has been filed.
- Discuss whether, and how, the child should be informed that an appeal has been filed.
- Discuss the next steps in pursuing the adoption with the adoptive resource and the child (if appropriate).

61130. Adoption Finalization for Families Residing in Clark County

a. Preparation for Finalization of the Adoption

The adoption social worker will verify that all required post-adoption agreements for visitation and court orders are obtained before finalization. To ensure that all legal requirements are fulfilled prior to the court hearing, the adoption social worker must:

- Inform the adoptive family that it should obtain an attorney to complete the legal paperwork required by DFS for inclusion in the *Confidential Report*:
 - » Filed copy of *Affidavit of Fees*.
 - » Filed copy of *Petition to Adopt*.
 - » Filed copy of *Consent of Adoption* from the child if he/she is age fourteen (14) or older.
- Inform the adoptive family of the date, time, and procedures in the adoption finalization hearing.

- » The family completes its portion of the *Report of Adoption* with assistance from the adoption social worker.
- » The family brings a check or money order to the hearing to pay for a revised birth certificate.
- » The family is encouraged to bring relatives and friends to the hearing.
- Review *Reasons for Separation of Siblings*, *Visitation Order*, and *Post-Adoption Contact Agreement* from the court if applicable.
- Write the *Confidential Report* to the court and file it within thirty (30) days from the date that the petition was received. Included in this report are the:
 - » Original or copy of birth certificate.
 - » Original or copy of TPR, relinquishments, or any other court documents related to the child's legal status (originals needed for ICPC).
 - » Copy of adoptive parents' marriage certificate.
 - » Copy of adoptive parents' divorce decree(s).
 - » Copy of *Affidavit of Fees*.
 - » Original or copy of death certificate of birth/legal/adoptive parents if applicable.
 - » Original DFS *Consent of Adoption*, and if applicable, DCFS *Consent of Adoption*.
- Inform the attorney when the *Confidential Report* is filed so the attorney can set the court date for finalization.
- Inform all parties after the finalization court date has been set.
- Include ICWA information in the *Confidential Report* to the court.

b. Finalization

- On the court date for finalization of the adoption, the adoption social worker, with the permanency case manager, must appear in court and bring a copy of the *Confidential Report* and a copy of the *Decree of Adoption* that was filed prior to the court finalization hearing.
- After the court finalization of adoption, the adoption social worker will:
 - » Obtain two (2) original certified copies of the *Decree of Adoption* and collect the check or money order from the parents.

- » Notify the Placement Team to end-date the placement and service authorization by completing the *Change Placement and Movement Form*.
- » Send the certified *Report of Adoption*, a check or money order, and a certified *Decree of Adoption* to the vital records department in the state where the child was born, along with a cover letter to order the amended birth certificate. (For all out-of-state births, the *Report of Adoption* must be certified by the court clerk.)
- » Give a copy of the *Decree of Adoption* to the eligibility specialist, permanency case manager, and the adoption subsidy specialist.
- » Complete all UNITY documentation within five (5) days.
- » Prepare the case file for closure and give it to the supervisor for review and archiving after the ex parte termination order and amended birth certificate are received.
- » Notify the adoptive family that the amended birth certificate is ready to be picked up.
- » Give a copy of the amended birth certificate to the adoption subsidy specialist.

Documentation

c. Post-Adoption Finalization Tasks for Case Closure

After the adoption is finalized in court, the following tasks must be completed in preparing to close the case in the UNITY system. See Documentation for Adoption Policies and Procedures for details.

61200. Adoption Disruption

61210. Disruption of a Pre-Adoptive Placement

The disruption of an adoption can occur between the adoption pre-placement and the finalization of the adoption.

- If the disruption involves safety concerns for the child, the hotline will be called.
- If the hotline is called, the acceptance of the call and the referral to investigations will take precedence and supersede any other action. The hotline will notify the Licensing unit. The investigator will lead the investigation and coordinate the activity of the licensing compliance officer.

- If the safety concerns do not warrant a call to the hotline, the permanency case manager will make a referral to the Caregiver Support Services Team and the Licensing unit. The licensing compliance officer may be asked to initiate an independent investigation.
- The Caregiver Support Services Team and permanency case manager will schedule a CFT meeting to support the child and family and evaluate next steps.
- If the family agrees and the child is safe, a family support plan will be developed and monitored. This family support plan may include additional services and interventions for the child and the family, who will visit the home, and the frequency of the home visits, as determined by the CFT.
- The permanency case manager will monitor the family support plan with in-person home visits that occur as determined in the CFT meeting. As long as the family support plan is active, there will be CFT meetings every thirty (30) days to continue support for the child and family.

If all attempts to stabilize the placement are not successful, the permanency case manager will request a new placement and begin the adoption selection process again.

61220. Post-Adoption Services to Prevent Disruption

Families with adoptions finalizing with the Department are offered post-adoption services. Family support (prevention and support services) offered as part of post-adoption services is defined in federal legislation as: community-based services which promote the well-being of children and families and are designed:

- To increase the strength and stability of families (including adoptive, foster, and extended families),
- To increase parents' confidence and competence in their parenting abilities, to afford children a stable and supportive family environment, and
- To enhance child development.

Examples of these types of services may include respite care for parents and other caregivers; early developmental screening of children to assess the needs of these children and assistance in obtaining specific services to meet their needs; mentoring, tutoring, and health education for youth; a range of center-based activities (informal interactions in drop-in centers, parent support groups); services designed to increase parenting skills; and counseling and home-visiting activities.

The Education and Training Voucher (ETV) funding is available to youth who will age out of foster care at eighteen (18) years or older or who are adopted at sixteen (16) years or older while still in

foster care. Eligible youth may use these funds for tuition and other directly related costs for post-secondary accredited education and training. Youth in Nevada access these funds through the Children's Cabinet, the contract service provider with the Nevada Division of Child and Family Services. ETV funds may be accessed through age twenty-one (21) or age twenty-three (23), if the youth is involved in vocational training or a full-time college student at the time of his/her twenty-first (21st) birthday.

In order to access post-adoption services, adoptive parents may contact the hotline or the adoption subsidy specialist. Families will be referred to agencies in the community that can assist them.

61300. Miscellaneous

61310. DFS Employee Eligibility for Foster Family Licensing

State law allows employees of agencies to become licensed foster homes for any child other than a child who is presently on that employee's caseload or has been on that caseload in the preceding three (3) years. These DFS procedures:

- Protect the interests of everyone involved – the child, his/her birth parents, relatives of the child, state employees, and the Department.
- Ensure that no conflict of interest arises in any case plan made for a child under the jurisdiction of the Department.
- Ensure that confidentiality is maintained for all parties, including employees.
- Ensure that employees receive objective consideration of their applications.
- Ensure that Case Planning focuses on the best interest of the child and the rights of birth parents, including a documented diligent search for other relative placement resources.

a. Definition of Employee

An employee is considered any person employed by the DFS, including full-time, part-time, and temporary employees. Former employees who pursue foster parent licensing may not accept children for placement who had been on their caseload at any time during the previous three (3) years. This is a placement restriction, not a licensing restriction.

b. Prior Administrative Approval

An employee who desires to become a foster care provider and/or adoptive parent for a child in the custody of the Department must notify his/her immediate supervisor of his/her interest/intent.

The employee's supervisor will review this Department policy with the employee and provide him/her with the *Employee Request for Adoption and Foster Care* form. The supervisor will advise the employee that initiating the process does not imply approval as a foster care provider and/or adoptive parent or approval of the placement of a specific child with the employee.

- The employee will complete the form and submit it to her/his supervisor.
- The supervisor will consult with his/her manager and forward the employee's completed request to the assistant director within five (5) business days of receipt.
- An employee who receives assistant director approval to proceed with the request must participate in exactly the same process required of all foster/adoptive parent applicants.
- Following the employee's completion of all required foster/adoptive parent application steps, the Licensing unit recommendation, including any waivers, will be submitted to the assistant director for case disposition.

c. Placement Decisions and Prohibitions

- An employee who is a licensed foster parent shall not accept placement of a child(ren) into his/her home, even on an emergency shelter care basis, if the child(ren) is currently on his/her caseload or has been within the preceding three (3) years.
- An employee who is a licensed foster parent may be licensed for emergency shelter care. However, an employee who is a licensed foster parent responding to after-hours emergency calls shall not place a child(ren) involved in emergency placement situations into his/her own home for the purpose of emergency shelter care.
- All placements into an employee's home who is a licensed foster parent must be based on the *Placement Request and Disclosure Form* and approved by the placement specialist supervisor on duty at the Receiving Team or on the Placement Team.
- Decisions about placement of any child with an employee for purposes of adoption will be made by an adoption review team outside of the site in which the employee works. The *Placement Request and Disclosure Form* shall be included in the adoption review team referral packet. All team members will maintain confidentiality regarding employee information.
- No foster care or adoption placement with an employee shall be made within three (3) years of that employee's negotiation, participation in acceptance through signature, or any manner of involvement in a relinquishment of parental rights.

d. Adoptions of Children in the Custody of Other Public Agencies

An employee who desires to foster and/or adopt a child in the custody of another state must adhere to all requirements as outlined in the ICPC. ICPC adoptions do not require administrative review.

e. Private Adoptions

- Employees adopting children not in Department custody should seek private adoption services through an approved child placing agency when available. Private adoptions do not require administrative review.
- If services through a private adoption agency are unavailable, an employee may contact the Department's adoption program for assistance based upon the fee-for-service schedule.

f. Personal Leave/County Property

- Should an employee need to take time away from work for the care of his/her adopted or foster child(ren), he/she shall request appropriate leave time as outlined in county personnel policies.
- Employees shall not, under any circumstances, transport their adopted or foster children in a county vehicle.
- Employees must meet all work obligations and will not be granted any leave time other than that described in the personnel policies.

g. Confidentiality of Files and Information

- The case records and information regarding employees must remain confidential.
- Hard-copy files will be afforded special handling to prevent them from becoming available to coworkers and to ensure the appropriate confidentiality of employee, child, and birth parent case records. Electronic files will be afforded the level of confidentiality provided by UNITY.
 - » The case records of employees will be kept in a locked file cabinet and made available only to the worker who handles the case or the foster care/adoption supervisors.
 - » Employees may not have access to records or otherwise receive information about children needing foster or adoptive families except that which is given to any foster or adoptive parent who is inquiring about potential placement of a child.
 - » In addition, access to employees' foster and adoptive *Home Study(ies)* is limited to those directly involved in working with them as foster or adoptive families.

- » All employees must comply with confidentiality policies regarding UNITY and Department prohibitions and penalties.